Government
Publications

SESSIONAL PAPERS.

VOLUME VIII. PART IV.

FIRST SESSION OF THE THIRD PARLIAMENT

OF THE

PROVINCE OF ONTARIO.

Session 1875-6.

VOLUME VIII.

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No. 60 ... Report on Immigration for the year 1875.

RETURN

Of Correspondence and Papers relating to the "North Simcoe Rail way."

By Command,

S. C. WOOD,
Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, December 26th, 1875.

SCHEDULE OF CORRESPONDENCE AND PAPERS RELATING TO THE "NORTH SIMCOE RAILWAY,"

1874.

May 5th.—Letter from President of the Company to the Honourable the Treasurer.
" 6th.—Letter from the Honourable the Treasurer to President of the Company in reply.
July 27th.—Petition to the Mayor and Council of the City of Toronto.
Nov. 13th.—Letter from Secretary of the Company to the Honourable Provincial Secretary enclosing Memorial and proposed Financial Scheme.

1875.

June 21st.—Letter from President of the Company to the Honourable the Provincial Secretary enclosing Resolutions of the appointments of George Copeland and William Harvey, Trustees and By-law No. 78.
July 3rd.—Letter from President of the Company to the Honourable Provincial Secretary.
" 24th.—Letter from the Assistant-Secretary to William H. Blackstock, Hillsdale, enclosing copy of an Order in Council approved on the 20th July, 1875.
Oct. 22nd.—Letter from President of the Company to the Honourable the Provincial Secretary.
Dec. 7th.—Letter from President of the Company to the Honourable the Provincial Secretary, enclosing copy of contract between the Company and A. F. Manning, for the construction of the line, general specifications and an agreement between the Company and A. F. Manning.
" 14th.—Letter from President of the Company to the Honourable the Provincial Secretary, enclosing estimated cost of construction.
" 27th.—Letter from President of the Company to the Honourable the Provincial Secretary, enclosing Petition from the residents and ratepayers of the Parry Sound district.

THE NORTH SIMCOE RAILWAY COMPANY,
Offices, York Chambers, Toronto, May 5, 1874.

Hon. ADAM CROOKS,
Treasurer, Province of Ontario.

DEAR SIR,—I beg to apply to you on behalf of the North Simcoe Railway Company, for the promise of Government aid in the construction of the line from Barrie to Penetanguishene, under the "Railway Aid Act." We have applied to the Townships of Tiny and Flos

for bonuses, and in a few weeks we hope to be in a position to lay our financial scheme before the Government; but in the meantime we should like to be able show to the people of North Simcoe the feeling of the Government towards aiding our undertaking.

We beg to call your particular attention to the fact that our line will be of great benefit to the Province in forming direct railway communication with the Provincial Reformatory at Penetanguishene, thus saving a large sum annually in the transportation of prisoners from Barrie and back.

I remain, yours faithfully,
(Signed) J. S. McMURRAY,
President North Simcoe Railway Company.

TORONTO, 6th May. 1874.

SIR.—I am in receipt of your letter of the 5th inst., respecting the proposed "North Simcoe Railway," with reference to a grant of aid from the Railway Fund.

The matter will receive the consideration of the Government, but it is unusual to make any promises in advance of any action the Government may recommend to the House, and which is only after the financial programme is complete.

I have the honour to be,
Sir,
Your obedient servant,
(Signed) A. CROOKS,
Treasurer.

J. S. McMurray, Esq.,
President North Simcoe Railway Co.,
Toronto.

To the Mayor and Council of the City of Toronto.

The petition of the undersigned qualified voters under the Municipal Act, being resident freeholders, rated on the last revised assessment roll of the Municipality of the City of Toronto, SHEWETH:

That your Petitioners, in conformity with the Municipal Act of 1873, and of the Act incorporating the North Simcoe Railway Company (37 Vic., cap. 54), desire to aid in the construction of a railway to connect the Parry Sound and Muskoka Territories with the City of Toronto, *via* Penetanguishene Harbour, and passing through the Townships of Tiny, Flos, Vespra, and the Town of Barrie, by granting a bonus to the North Simcoe Railway Company of one hundred thousand dollars, and to be assessed therefor.

Your Petitioners therefore pray that your said Council will, in accordance with the said Acts, introduce the requisite by-law, and submit the same to the qualified voters of the said Municipality of the City of Toronto, and in due course pass the same, for the purpose of raising the said sum of one hundred thousand dollars, by the issuing of debentures of the said Municipality of the City of Toronto, for the amount of said bonus, payable in twenty years, with interest thereon, half yearly, and for the delivery of the same to the Trustees appointed under the Act of Incorporation of the North Simcoe Railway Company, on the terms that the proceeds are to be applied towards the construction and works of the said North Simcoe Railway from Penetanguishene to Barrie, and there to connect with Toronto; and for assessing and levying upon all the rateable property in the said Municipality of Toronto, an equal annual special rate sufficient to include a sinking fund for the repayment of the debentures, with interest thereon.

C. P. Reid & Co.,	Frederick Perkins,	J. Hillyard Cameron,
Frank Smith,	F. W. Coate,	J. Saurin McMurray,
F. D. Barwick,	Blaikie & Alexander,	J. B. Robinson,
D. Walker,	Gooderham & Worts,	A. Thornton Todd,
R. W. Laird,	Samuel Stern,	And 258 others.

Dated at Toronto, this Twenty-seventh day of July, A.D. 1874.

THE "NORTH SIMCOE RAILWAY COMPANY,"
Offices, York Chambers, Toronto, 13th Nov. 1874.

To the Honourable the Provincial Secretary of the Province of Ontario, Toronto:

DEAR SIR,—I beg to enclose you herewith a memorial with accompanying papers for presentation to His Excellency the Lieutenant-Governor in Council at their next meeting.

I have the honour to be,
Sir,
Your obedient servant,
T. R. FULLER,
Sec.-Treas. N. S. Ry. Co.

To the Lieutenant-Governor in Council.

The memorial of the North Simcoe Railway Company,
SHEWETH:

The North Simcoe Railway Company were incorporated by an Act passed in the thirty-seventh year of Her Majesty's reign and chaptered fifty-four, for the purpose of constructing a Railway from the Town of Barrie, through the Townships of Vespra, Flos, and Tiny to the harbour of Penetanguishene, a distance of thirty-four miles, wholly unsupplied by Railway accommodation.

Your memorialists have caused the said line to be located and have had complete surveys and profiles made and estimate the cost of the said road at the sum of six hundred and thirty thousand dollars, or eighteen thousand dollars per mile.

The full amount of stock required by the Act to be subscribed, namely, twenty-five thousand dollars, has been subscribed, and the required amount, namely, ten per cent. thereof has been paid into the City Bank of Montreal.

Your memorialists have procured from the Township of Flos a bonus of twenty-five thousand dollars, and from the Township of Tiny a bonus of fifty thousand dollars, and they have petitioned the Municipality of the City of Toronto for a By-law granting them a bonus of one hundred thousand dollars.

A copy of the said Petition containing over three hundred names, and representing a large proportion of the wealth of the said city, is sent herewith.

Your memorialists beg to send herewith a copy of their proposed financial scheme from which it will appear that, with the same measure of assistance which the Government has granted to other enterprises similarly situated, they will be able to carry this project through successfully.

Your memorialists applied by letter bearing date the fifth day of May last, through your Excellency's Treasurer, the Honourable Adam Crooks, for this aid, and were assured, by letter bearing date the sixth day of May last, that their application would receive the consideration of the Government; and they beg that your Excellency will in Council consider this as a renewal of that application, and that they may be entitled to priority over other applications of a similar nature if, from any circumstance, priority of application become material.

Your memorialists beg to point out that the Orders in Council passed last Session were made conditional upon there being a fund applicable to the railways affected thereby, and your memorialists pray that, in case there should not at the present moment be a "fund applicable" to the purpose contemplated by this memorial, they may have an order made in their favour conditional upon funds becoming applicable thereto, through the failure of other railway projects to which aid has been granted.

Your memorialists are informed that the Government every year do incur great expense in the conveyance of prisoners and supplies to the Reformatory at Penetanguishene, and they beg, in consideration of the aid herein prayed for, to offer to the Government free transportation for prisoners and supplies for the period of twenty-one years from the date of the opening of the said road.

Your memorialists show that upwards of forty large saw mills, at present cutting one hundred and eighty-two millions of feet of timber, will be accommodated by the said railway.

They show moreover that the numerous islands lying along the northern shore of Lake Huron, and the eastern shore of Georgian Bay, afford such a complete protection that rafts may be safely brought from any point on these shores to the harbour of Penetanguishene. To reach Collingwood they are obliged not only to be taken fifty miles further, but through the whole distance are entirely unprotected and exposed.

Your memorialists venture to think that the prospect of thi enormous trade, unaffected as it will be so far as they are concerned by any possible extensions of other existing lines of railway, makes their road of very exceptional importance.

Your memorialists therefore pray that your Excellency in Council may be pleased to pass an order, granting them aid, either out of the fund designated and known as the "Railway Fund," or out of the "Railway Subsidy Fund," to such an extent as may be considered fair and reasonable under the circumstances, and in case there should not at present be "funds applicable" to the purpose, that a conditional order may be made similar in terms to some of those already issued.

Dated at the City of Toronto, in the year of our Lord one thousand eight hundred and seventy-four, this twelfth day of November.

J. SAURIN MCMURRAY,
President North Simcoe Railway Company.
T. R. FULLER,
Secretary and Treasurer, N. S. R. C.

THE "NORTH SIMCOE RAILWAY COMPANY,"
Offices, York Chambers, Toronto, Nov. 13th, 1874.

T. R. FULLER,
Sec.-Treas.

Proposed Financial Scheme.

DR.

Preliminary expenses, including cost of legislation, surveys, engineering expenses, deposit with municipalities, voting By-laws, travelling expenses, printing maps, &c.	$7,000 00
Estimated cost of construction, 35 miles at $18,000 per mile	630,000 00
	$637,000 00

CR.

Stock subscribed	$25,000 00
Township of Tiny, bonus voted $50,000, less 15 %	42,500 00
Township of Flos, bonus voted, $25,000, less 15 %	21,250 00
	$88,750 00
Toronto bonus applied for $100,000, less 15 %	85,000 00
Mortgage Bonds of Railway at $15,000 per mile, $525,000 less 25 %	393,750 00
	$567,500 00
Government grant $3000 per mile	105,000 00
	$672,500 00

N. B.—The above figures do not include Rolling Stock.

THE "NORTH SIMCOE RAILWAY COMPANY."
Offices, York Chambers, Toronto, 21st June, 1875.

The Hon. ARCHIBALD MCKELLAR,
Provincial Secretary, Ontario,
Toronto.

DEAR SIR,—I have been instructed by the Board of Directors of the North Simcoe Railway Company to enclose you certified copies of two resolutions passed by the respective

Councils of the Municipalities of the Townships of Tiny and Flos—whereby the said Municipalities, under the provisions of an Act of the Legislature of the Province of Ontario, 37 Victoria, cap. 54, incorporating the said Railway Company, nominated and appointed Mr. William Harvey, Treasurer of the said Township of Flos, their joint trustee for the purpose of receiving and holding the debentures of the said respective Municipalities to be used by them in pursuance of the respective By-laws of the said respective Municipalities, granting aid towards the construction of the said Company's railroad.

I have also the honour to enclose a copy of a resolution of the Board of Directors of the said North Simcoe Railway Company, passed by them on 5th inst., nominating and appointing Mr. Geo. Copeland, of the Township of Tiny, as trustee for and on behalf of the said Railway Company.

That by the 36th Section of the said Act, the Governor in Council is authorized to nominate and appoint a third trustee for the purpose aforesaid, and the said respective Municipalities and the Directors of the said Railway Company have agreed to recommend for the Governor in Council's approval, Mr. Geo. Clarke, Reeve of the Township of Tiny, as trustee for and on behalf of the Province of Ontario, to act conjointly with the other two named trustees.

You will oblige by placing this communication with the enclosed papers before His Honor the Lieutenant-Governor in Council, so that Mr. George Clarke may be appointed at the earliest day possible.

I have the honour to be,
Sir,
Your obedient servant,
(Signed) J. Saurin McMurray,
President North Simcoe Railway Company.

The "North Simcoe Railway Company."
Offices, York Chambers, Penetanguishene, 5th June, 1875.

Moved by A. A. Thompson, seconded by W. Moore Kelly.

"That Mr. George Copeland, of Penetanguishene, be and is hereby appointed Trustee of Municipal debentures and expenditures of bonuses on behalf of the 'North Simcoe Railway Company.'"

Elmvale, 14th June, 1875.

Dear Sir,—Mr. Phelps has directed me to forward the enclosed copy of motion to you.

I am, Sir, yours obediently,
(Signed) Wm. Harvey,
Township Clerk of Flos.

J. S. McMurray, Esq.,

On motion of Mr. William Johnstone, seconded by Mr. Henry Thurlow, it was ordered, That whereas under the provisions of the Act passed in the Legislature of the Province of Ontario, 37 Victoria, cap. 54, incorporating the North Simcoe Railway Company, the Municipality of the Township of Flos granted a bonus of twenty-five thousand dollars to aid in the construction and building of the said railway.

And whereas it is necessary under the said Act to appoint a trustee in conjunction with the Municipality of the Township of Tiny, also having granted a bonus of fifty thousand dollars in aid of the construction and building of said railway, which said trustee and the trustee to be appointed by the Lieutenant-Governor in Council and the trustee to be appointed by the said company, shall receive and hold the said debentures in trust under the direction of the said company and to convert the same into money and apply the proceeds in aid of the construction and building of the said railway, in accordance with the thirty-seventh section of the said Act of Incorporation.

Be it therefore resolved that this Council do, under the provisions of the said Act of incorporation, nominate and appoint William Harvey, Treasurer of the said Township of Flos, trustee for and on behalf the said Municipality of the said Township of Flos.

I hereby certify that the foregoing is a true copy of a motion passed by the Council of the Corporation of the Township of Flos, on Monday, the 14th day of June, A.D. 1875.

(Signed) WM. HARVEY,
Township Clerk of Flos.

Elmvale, Township of Flos, June 15th, 1875.

PENETANGUISHINE, June 15th, 1875.

DEAR SIR,—I send you copies of the By-laws passed Council at last meeting, as requested in your letter to Clarke.

Yours, &c.,
W.J. KEATING.

J. S. McMurray, Esq.,
President North Simcoe Railway, Toronto.

BY-LAW No. 78.

To appoint a Trustee for the Township of Tiny, in conjunction with the Township of Flos, for the receiving and holding (with others) in trust the debentures of this township in aid of the North Simcoe Railway.

Whereas it is necessary, under the provisions of the Act passed by the Legislature of Ontario, 37 Victoria, cap. 54, incorporating the North Simcoe Railway Company, to appoint a trustee in conjunction with the Municipality of the Township of Flos, the said last-named township having also granted a bonus of twenty-five thousand dollars in aid of the construction and building of the said railway, which said trustee, and the trustee to be appointed by the Lieutenant Governor in Council, and the trustee to be appointed by the said Company, shall receive and hold the debentures of this township to be issued in pursuance of the By-law, granting such aid as aforesaid.

Be it therefore resolved and enacted, that this Council do, under the provisions of the said Act of Incorporation, nominate and appoint William Harvey, Treasurer of said Township of Flos (he being the nominee of the Reeves of the Townships of Tiny and Flos), trustee for and on behalf of the said Municipality of the Township of Tiny.

[L.S.] GEORGE CLARKE,
Reeve.

(Signed) XAVIER THOMPSON,
Township Clerk.

Council Rooms, Tiny, June 12th, A.D., 1875.

We, the undersigned, do under our hands and the seal of the said Corporation, certify that the foregoing is a true and examined copy of the By-law of said Township No. 78.

(Signed) GEORGE CLARKE,
[L.S.] *Reeve.*

(Signed) XAVIER THOMPSON,
Clerk of Tiny.

THE "NORTH SIMCOE RAILWAY COMPANY."
Offices, York Chambers, Toronto, 3rd July, 1875.

The Honourable ARCHIBALD MCKELLAR,
Provincial Secretary, Ontario,
Toronto.

DEAR SIR,—Referring to my communication of the 21st ultimo, respecting the appointment of a trustee on behalf of the Government, to receive the municipal securities granted in aid of this Company, I beg to inquire when the Lieutenant-Governor in Council may be pleased to make the appointment.

I have the honour to be,
Sir,
Your obedient servant,
(Signed) J. S. MCMURRAY,
President N. S. R. Co.

PROVINCIAL SECRETARY'S OFFICE,
Toronto, 24th July, 1875.

SIR,—I am directed to transmit herewith copy of an Order in Council approved of by His Honor the Lieutenant-Governor the 20th day of July, 1875, appointing you the third trustee to receive from Municipalities the bonuses voted in favour of the North Simcoe Railway Company.

I have the honour to be, Sir,
&c., &c., &c.,
(Signed) I. R. ECKART,
Assistant Secretary.

Wm. H. Blackstock,
Hillsdale, Co. Simcoe.

Copy of an Order in Council approved by His Honor the Lieutenant-Governor, the 20th day of July, A.D. 1875.

Upon the recommendation of the Honourable the Attorney-General, dated 10th July, 1875, the Committee of Council advise that William H. Blackstock, of the Village of Hillsdale, in the County of Simcoe, Esquire, be named and appointed by your Honor as the third Trustee to receive from Municipalities the bonuses voted in favour of the North Simcoe Railway Company.

Certified,
J. G. SCOTT,
Clerk Executive Council, Ontario.

The Honourable
The Provincial Secretary.

22nd July, 1875.

THE "NORTH SIMCOE RAILWAY COMPANY,"
Offices, York Chambers, Toronto, 22nd October, 1875.

To the Honourable S. C. WOOD,
Provincial Secretary, Toronto.

DEAR SIR,—I beg to inform you that on the 5th day of May, 1874, an application was made by me on behalf of the North Simcoe Railway Company to the Honourable Adam

Crooks, then Provincial Secretary, asking for aid to assist in the construction of the line from Barrie to Penetanguishene, and to which communication I received a favourable reply.

I have also further to inform you that on the 13th day of November following a memorial of the North Simcoe Railway Company was enclosed to the Honourable the Provincial Secretary for the consideration of His Excellency the Lieutenant-Governor in Council, asking for similar aid. That as no definite answer thereto has been received, I beg respectfully to call your attention to the same, and hope that the matter will receive the attention of His Excellency the Lieutenant-Governor in Council at an early day, as the contract for construction has been let on favourable terms, and the works are now progressing in a satisfactory manner.

I have the honour to be, Sir,
Your obedient servant,
(Signed) J. S. McMURRAY,
President North Simcoe Railway Company.

THE "NORTH SIMCOE RAILWAY COMPANY,"
Offices, York Chambers, Toronto, 7th Dec., 1875.

DEAR SIR,—I have the honour to transmit to you duplicate copies of the contract between the North Simcoe Railway Company and Mr. A. F. Manning, for the construction of the line; also, copy of bond by his surety for the due performance of same, and a copy of plan of the Railway, for your perusal.

I am, dear Sir,
Your obedient servant,
(Signed) T. RICHARD FULLER,
Sec.-Treas. N. S. Ry. Co.

The Honourable S. C. Wood,
Provincial Secretary, Province of Ontario,
Toronto.

Know all men by these presents, that I, Alexander Manning, of the said City of Toronto, in the County of York, and Province of Ontario, contractor, am held and firmly bound to the North Simcoe Railway Company and their successors in the penal sum of twenty-five thousand dollars of lawful money of Canada, to be paid to the North Simcoe Railway Company and their successors, for which payment to be well and faithfully made I bind myself, my heirs, executors and administrators, firmly by these presents.

Sealed with my seal and dated this fifteenth day of June, in the year of our Lord one thousand eight hundred and seventy-five.

Whereas Alexander Frank Manning, by certain articles of agreement bearing even date with the above written obligation, and made between him and the said North Simcoe Railway Company for the consideration therein mentioned, hath agreed with the said North Simcoe Railway Company to build and construct certain works, and furnish all the material and plant required in the construction of a line of Railway between the Town of Barrie, in the County of Simcoe, and the Village of Penetanguishene, according to the specifications agreed upon, and such further plans and directions as may be furnished from time to time by the said Company's chief engineer.

And whereas at the time of making the said agreement, it was stipulated that the above bounden Alexander Manning as security for the said Alexander Frank Manning should enter into the above written obligation, with such conditions as hereinafter mentioned:

Now the condition of the above written obligation is such, that if the said Alexander Frank Manning, his executors and administrators, and each and every of them do and shall from time to time and at all times hereafter, well and truly stand to, obey, abide, observe, perform, fulfil, execute and keep all and singular the covenants, conditions, clauses and agreements mentioned in the said in part recited articles of agreement, and the specifications referred to in the Schedule attached to the said agreement, and which on the part of the said Alexander Frank Manning, his heirs, executors or administrators are or ought to be observed,

performed, fulfilled, executed and kept, and that in all things according to the true intent and meaning of the said in part recited agreement and of the parties to the same, then the above written obligation to be void and of no effect, otherwise to be and remain in full force and effect.

In witness whereof, I the said Alexander Manning have hereunto set my hand and seal, this fifteenth day of June, in the year of our Lord one thousand eight hundred and seventy-five.

(Signed) ALEX. MANNING. [L.S.]

Signed, sealed and delivered in the presence of (Signed) JOHN DICKINSON.

GENERAL SPECIFICATION FOR WORKS OF CONSTRUCTION REFERRED TO IN THE ANNEXED CONTRACT AGREEMENT.

NORTH SIMCOE RAILWAY.

Forms of Tender.

The undersigned hereby propose and undertake to perform all the work, furnish and deliver all the materials, plant, &c., required in the construction of the above line of railway, according to specifications and such further plans and directions as may be furnished from time to time by the Company's engineer. I am prepared to enter into contract with the Board of Directors for the performance of the work abovementioned at the rates and prices set forth in the Schedule below:—

SCHEDULE A.

No.	DESCRIPTION.	Approximate Quality.	Price. $ cts.
1	Clearing .....per acre	124	17 00
2	Grubbing..... "	15	100 00
3	Close cutting ..... "	52	15 00
4	Fencing rail, including gates ..... per rod.....	22,500	1 00
5	" " Post and board..		
6	Excavation clay, in foundation...per cubic yard.....	4,000	25
7	" " in cutting, side ditching, borrow pits .....per cubic yard.....	576,500	22
8	" rock..... " "		
9	Tile drain .....per line foot	740	2 00
10	Sawn timber in trestle work, culverts, road and farm crossings, bridges, &c., per 1000 F. BM..	35,000	30 00
11	Flattened cedar..... per line foot	30,000	20 00
12	Sign boards at road crossings..... each ...	66	10 00
13	Wrought iron spikes, &c..... per lb	15,000	10
14	Cast iron washers..... .... "	700	8
15	Truck ties..... .... each	76,000	20

And on acceptance of this proposal for the same, do hereby bind myself to enter into written contract and give the required bonds and sureties to perform and complete the whole work specified for the consideration above named by the 1st day of August, 1876.

(Signed) A. F. MANNING, *Contractor.*
ALEX. MANNING, *Surety.*

JOHN DICKINSON,
Witness.

An agreement made the fifteenth day of June, in the year of Our Lord one thousand eight hundred and seventy-five, between the North Simcoe Railway Company, by James S. McMurray, of the City of Toronto, in the County of York, and Province of Ontario, as President of the North Simcoe Railway Company, and duly authorized to act on their behalf, of the first part; and Alexander Frank Manning, of the said City of Toronto, contractor, of the second part:

Whereas the said North Simcoe Railway Company, hereinafter called "The Company," was incorporated by an Act of the Legislature of the Province of Ontario, passed in the thirty-seventh year of the reign of Her Majesty Queen Victoria, and entitled "An Act to incorporate the North Simcoe Railway Company," for the purpose of constructing and finishing a railway from or near the Town of Barrie, in the County of Simcoe, or from some other point on the shore of the Penetanguishene Bay, and with power to build a line of railway from either of said points to the Village of Midland, or to some other point on the shore of Gloucester Bay, now called Midland Bay;

And whereas the said party of the second part, hereinafter called "The Contractor," has agreed to perform certain works and furnish all the material and plant required in the part construction of a line of railway between the said Town of Barrie and the said Village of Penetanguishene, according to the specifications and such further plans and directions as may be furnished from time to time by the Company's Chief Engineer;

And whereas the specifications of the railway and the construction of the works to be done, and the several estimated prices by the contractor is contained in the Schedule hereto annexed, and marked A, and signed by the contractor and forming part of this agreement;

And whereas the Company, according to the said Schedule of prices, have agreed to pay to the contractor for the said works to be performed and done by him at the times, and under certain conditions, and in the manner hereinafter more particularly specified;

Now, therefore, it is hereby declared and agreed, by and between the said Company of the one part, and the contractor of the other part, as follows:—That the contractor, for himself, his heirs, executors and administrators, in the consideration hereinafter mentioned, covenants, promises and agrees to and with the Company and their successors in the manner following, that is to say: That he the contractor shall and will, at his own expense in all things, forth with begin, and well and effectually and according to the directions from time to time, and in all particulars to the satisfaction of the Chief Engineer for the time being charged with the oversight of the said works, and who shall be appointed by the Company, to construct and complete in a substantial and workmanlike manner the various works mentioned and referred to in the said Schedule hereto annexed and forming part of this agreement, and according to the specifications and such further plans and directions as may be furnished from time to time by the Company's Chief Engineer;

And also that in and about the said works, matters and things contracted for or agreed or required to be done as hereinafter mentioned, and for the complete execution of the same, the contractor shall and will at his own expense find and provide all necessary material, utensils and implements of labour and workmanship in the construction of the said works, and also that in and about the said works, matters and things the contractor will use and supply the best materials of every kind, and such as the Company's Chief Engineer for the time being in charge of the said works shall approve of;

And it is further agreed that the said works, matters and things shall be completed and delivered over to the Company on or before the first day of August, one thousand eight hundred and seventy-six; and in case of default in completing the same within the time first above mentioned, the contractor shall forfeit the sum of five hundred dollars for each calendar month of excess, and to be deducted out of the monies payable to him under this contract, or to be paid to him by the Company, as the case may be: provided, that if the delay arise from the right of way not being furnished to him by the Company, to enable him to prosecute the contract, then in such case the contractor shall be allowed a corresponding time to such delay for the completing of the said contract over and above that now given for its fulfilment, and that in case any difference or dispute in this respect shall arise between the contractor and the Company, the same shall be settled by arbitration as hereinafter provided;

In consideration of the premises, and of the observance and performance by the contractor of the several covenants, conditions provisions and stipulations on his part herein men-

tioned, the said Company do for themselves and their successors covenant with the contractor, his executors and administrators, as follows: that is to say, that if he the contractor shall duly perform all things on his part and behalf to be performed and done at the times and manner herein stated, the Company, their successors and assigns, shall and will pay to the contractor, his heirs, executors and administrators at their office in the said City of Toronto, in monthly payments or proportions according to the said Schedule prices, on the fifteenth day of each month, for all the work done during the previous month upon the certificate of the Chief Engineer of the said Company according to the Schedule of prices mentioned in the Schedule hereto annexed, and at the rate of eighty five per cent. of the value *pro rata* of the work done until the whole of the works are completed, and when a final certificate is granted by the said Chief Engineer, the fifteen per cent. of the contract price remaining in the hands of the Company shall be paid to the contractor one month after the same is delivered to the Company.

And it is hereby agreed that the Chief Engineer shall be bound to deliver such a certificate on being required to do so, and that if for the space of fourteen days after being so required by and on behalf of the contractor, he shall refuse or neglect to deliver such certificate of the amount furnished by the contractor of the work done and executed for the period in respect of which such certificate is required, shall for the purpose of the payment thereon, as upon a certificate for the same amount, shall be binding on the Company: Provided that no certificate nor account uncertified shall be finally binding upon the Company as an account, but the whole shall be subject to revision on the final completion of the work to be done, and intermediate payments shall be deemed to have been payments on account;

It is further agreed that whenever the party of the first part or their successors fail to make a monthly payment for the work done during the previous month to the party of the second part, that the party of the second part may cease work until the payments in arrear are made, and shall not be liable for any penalty whatever by reason of such stoppage of work, and shall be entitled to a lien upon the property and franchises of the Company for the amount due and percentage;

And the Company do further agree with the said contractors that they will at their own cost and expense from time to time when and as required, acquire and purchase and deliver possession to the contractor the right of way over such lands along the said line of railway as the contractors shall require for the construction of the said works, and shall lay out the works as soon as required by the contractor;

And it is further agreed between the said parties hereto, that if any dispute or difference whatever shall arise between them upon or as to this contract, or the wording or construction thereof, or any clause, matter or thing therein contained, or as to plans, sections or specifications, or any of them, or as to any of the works, matters or things hereby contracted for or mentioned herein, or any alteration in the said works, matters or things, or as to any other matter whatsoever, whether of fact, discretion or opinion, every such dispute and difference from time to time shall be, and the same is hereby agreed to be left and referred to the absolute determination and award of one person named by and on the part of the Company or their successors, another on the part of the contractor, and a third by the two so named, before entering on the business of the reference, and the decision of such three persons or any two of them shall be final and conclusive, and against it there shall not be in any manner or on any account any appeal whatsoever;

And the said Company do hereby for themselves and their successors covenant with the said contractor, his heirs, executors and administrators, and the said contractor for himself, his heirs, executors and administrators doth hereby covenant with the said Company and their successors that they the said parties respectively shall and will stand to abide, and be bound to obey, perform, fulfil and keep the award and determination of such referees or any two of them as aforesaid, and that the submission hereby made, may at the option of either of the said parties hereto be at any time dealt with so as to make such award binding in any of the Courts of Law of Record in the Province of Ontario:

In witness whereof the said Company party hereto of the first part, represented by James S. McMurray, President of the said Company, hereunto duly authorized by Resolution of the Board of Directors of the said Company, bearing date the fifth day of June, in the year of our Lord one thousand eight hundred and seventy-five, hath hereunto set his hand and

caused the corporate seal of the said Company to be hereunto affixed, and the said contractor party of the second part has hereunto set his hand and seal on the day and year hereinbefore first above mentioned.

Signed, sealed and delivered in the presence of.

J. S. McMURRAY.
President North Simcoe R. C. Co. [L.S.]
T. RICHARD FULLER.
Sec. and Treas. N. S. R. Co. [L.S.]
A. F. MANNING.

JOHN DICKINSON.

THE NORTH SIMCOE RAILWAY COMPANY,
Toronto, 14th December, 1875.

To the Honorable S. C. WOOD, *Secretary of the Province of Ontario, Toronto.*

DEAR SIR,—Since filing our proposed financial scheme for the construction of the North Simcoe Railway, dated November 13th, 1874, we have completed the surveys and located the entire line from Barrie to Penetanguishene, and have let a contract for the chopping, clearing, grading, fencing, ties, &c., for the sum of $172,981. We are now in a position to modify our estimate of that date in view of the present low price for labour, iron and other materials. We have the honour now to transmit to you herewith for the consideration of the Government our amended financial scheme.

Although only the Townships of Tiny and Flos have granted liberal bonuses to aid this line, we had hoped to have received aid as well from the Township of Vespra, the Town of Barrie, and the City of Toronto, but owing to the fact that all of these last named municipalities had already contributed large bonuses to aid other lines, they have so far felt unwilling to grant further railway aid.

We may add that the Southern Townships of the County of Simcoe lying between the Village of Bolton and Barrie are most anxious to aid in securing an extension of our line, and we believe that if reasonable Government assistance is granted we can, with the municipal aid offered us, complete our line so as to form a junction with the Toronto, Grey and Bruce Railway at or near Bolton Village.

This latter portion of our line might be made (as has been done in other cases) subject to our showing matured financial scheme to the Lieutenant-Governor in Council, with a *bona fide* contract for construction before the next Session of Parliament, 1876. We therefore hope the Government may also see fit to pass a resolution in Council to this effect.

We are, your obedient servants,
(Signed) JAMES S. McMURRAY,
President North Simcoe Railway Company.
T. RICHARD FULLER,
Secretary and Treasurer North Simcoe Railway Company.

Estimated cost of construction of the North Simcoe Railway—thirty-four miles.

Right of the way, say 340 acres	$8,000 00
Grading, fencing, ties, &c.	172,981 00
Stations	3,000 00
Engine sheds, tanks, &c.	3,000 00
Iron rails, fish plates, spikes	
Track laying, &c., thirty-four miles at $4,400 per mile	152,600 00
Sidings—two miles	8,800 00
Engineering expenses	5,000 00
Extras	3,500 00
	$351,881 00

Resources.

Tiny bonus voted	$50,000 00
Flos " "	25,000 00
Stock subscribed	25,000 00
	$100,000 00
Aid expected from Ontario Government at $4,000 per mile	136,000 00
	$236,000 00
Railway mortgage bonds, at $6,000 per mile, less 20 per cent. discount	163,200 00
	$399,200 00

Leaving $47,319 for engines and roling stock, which we consider ample, as the road will be used in connection with other lines

(Copy.)

THE "NORTH SIMCOE RAILWAY COMPANY,"
Offices, York Chambers, Toronto, 27th December, 1875.

To the Honourable S. C. WOOD,
Provincial Secretary, Ontario, Toronto.

DEAR SIR,—I have the honour to transmit to you, for the consideration of the Lieut.-Governor in Council, an important petition from the residents and ratepayers of the Parry Sound district, relating to Government aid towards the construction of the North Simcoe Railway.

I am, yours faithfully,
(Signed) J. S. MCMURRAY,
President North Simcoe Railway.

(Copy.)

To His Honor the Lieutenant-Governor of the Province of Ontario in Council.

The Petition of the undersigned residents and ratepayers of the Parry Sound district.

HUMBLY SHEWETH:

We, the undersigned, recognizing the facilities and advantages likely to be realized by the construction of the North Simcoe Railway, in its connection with the above district, its terminal point being at Penetanguishene, which, from its position, gives us facilities of access and egress more advantageous than any other railway now in existence, during season of navigation; we therefore hope that the policy foreshadowed by your Government, suggesting aid to railways in course of construction, will result in granting an equal subsidy towards the construction of the said railway from Barrie to Penetanguishene.

And your petitioners will, as in duty bound, ever pray.

(Signed) WM. BEATTY.
F. STRAIN,
G. P. MOORE,
and fifty-eight others.

SUPPLEMENTARY RETURN

Of Correspondence relating to the "North Simcoe Railway," subsequent to that printed in Sessional Papers, December 26th, 1875.

By Command,

S. C. WOOD,
Secretary

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, January 10th, 1876.

SCHEDULE OF CORRESPONDENCE RELATING TO THE "NORTH SIMCOE RAILWAY."

1875.

Dec. 31st.—Letter from the President of the Company to the Honourable the Provincial Secretary.

1876.

Jan. 6th.—Letter from the President of the Company to the Provincial Secretary, transmitting Schedules relative to right of way on line through the Village of Penetanguishene, and in Townships of Tiny and Flos.

THE "NORTH SIMCOE RAILWAY COMPANY,"
Offices, York Chambers, Toronto, 31st December, 1875.

To the Honourable S. C. WOOD,
Provincial Secretary, Ontario,
Toronto.

DEAR SIR,—On looking over the correspondence had with your Department respecting Government aid to the North Simcoe Railway, I observe that through an oversight on our part, we have neglected to call the attention of the Lieutenant-Governor in Council, to the importance of a branch from the main line of our railway to Midland City, a

distance about five (5) miles, so as to secure the important trade from Midland Harbour and the Mills there situated. I beg most respectfully to call your attention to this fact, and ask you to have the matter laid before His Excellency in Council.

I have the honour to be, Sir,
Your obedient servant,
(Signed) J. S. McMURRAY,
President North Simcoe Railway.

(Copy.)

THE "NORTH SIMCOE RAILWAY COMPANY,"
Offices, York Chambers, Toronto, 6th January, 1876.

To the Honourable S. C. WOOD,
Provincial Secretary, Ontario,
Toronto.

DEAR SIR,—I have the honour to transmit herewith, Schedules shewing how far the right of way has been secured on the line of works now under active construction through the Village of Penetanguishene, and in the Townships of Tiny and Flos, for the consideration of the Lieutenant-Governor in Council.

I have the honour to be, Sir,
Your obedient servant,
(Signed) J. SAURIN McMURRAY,
President North Simcoe Railway Company.

SUPPLEMENTARY RETURN

Of Correspondence and Papers relating to the "North Simcoe Railway," subsequent to that printed in Sessional Papers, January 10th, 1876.

By Command,

S. C. WOOD,

Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, 17th January, 1876.

SCHEDULE OF CORRESPONDENCE RELATING TO THE "NORTH SIMCOE RAILWAY."

1876.

January 13.—Letter from President of Company to Provincial Secretary, enclosing Letter from J. W. Cunningham as to the purchase of bonds of the Company.

" 17.—Letter from President of Company to the Provincial Secretary, enclosing Report of the Chief Engineer of the Company as to the cost of constructing the road; and Report of V. B. Wadsworth, P. L. S.

" 18.—Letter from President and Secretary, North Simcoe Railway Company, to President, Northern Railway of Canada.

" 18.—Letter of President, Northern Railway of Canada, to President, North Simcoe Railway Company.

" Letter of President and Secretary-Treasurer, North Simcoe Railway Company, to President, Northern Railway of Canada.

" 19.—Letter from President and Secretary-Treasurer, North Simcoe Railway Company, to the Provincial Secretary, enclosing amended Financial schemes.

" 19.—Letter of President and Secretary-Treasurer, North Simcoe Railway Company, to the Provincial Secretary.

" 19.—Amended Financial Scheme of the North Simcoe Railway Company.

(Copy.)

THE "NORTH SIMCOE RAILWAY COMPANY,"
OFFICES, YORK CHAMBERS,
Toronto, 13th January, 1876.

To the Honourable
S. C. WOOD,
Secretary, Province of Ontario,
Toronto.

DEAR SIR,—I beg to enclose you a letter just received from Mr. J. W. Cunningham, of Liverpool, England, who is now in this country, and who has had a large experience in selling

Railway and other securities. I merely enclose this for your information regarding the prospects of selling our bonds when issued.

I have the honour to be, Sir,
Your obedient servant,
(Signed) J. S. McMURRAY.

(Copy)

CUNNINGHAM, SHAW & Co. 24 DRURY BUILDINGS,
WATER STREET,
LIVERPOOL.

TORONTO, 12th January, 1876.

JAMES McMURRAY, Esq.,
President North Simcoe Railroad Company,
Toronto.

MY DEAR SIR,—I have carefully examined into the merits of the North Simcoe Railroad and believe the probable traffic returns to be derived from the undertaking, when completed, will make the line a paying one. If the Government of Ontario subsidize the line for not less than $4,000 per mile, and thus give the bonds of the Company a more marketable value to investors, I have no doubt my friends would willingly purchase the entire issue at the best market price for railway bonds. I am leaving for England in a few days, and shall be pleased to hear from you before long on this subject.

Yours very truly,
(Signed) J. W. CUNNINGHAM.

THE "NORTH SIMCOE RAILWAY CO."
OFFICES, YORK CHAMBERS,
Toronto, 17th January, 1876.

To the Honorable
S. C. WOOD,
Provincial Secretary, Ontario,
Toronto.

DEAR SIR,—I have the honour to transmit to you herewith, for the consideration of His Excellency the Lieutenant-Governor in Council :

1st. Our Engineer's Report on works, together with *detailed estimates* shewing the manner in which our amended estimated cost of construction was made up, as per Schedule enclosed to you on the 14th December, 1875.

2nd. A Report in detail by Mr. Wadsworth, P.L.S., as to the purchase of the right of way, general character of the line and its future prospects.

I beg to call your particular attention to "Schedule "A" annexed to the Engineer's Report, which is based upon the actual contract we have with Mr. A. F. Manning for the construction of the entire line from Barrie to Penetanguishene ; also to Schedule "B," which shows the amount necessary to complete the line ready for traffic, based upon the present favourable prices for labour and materials of all kinds.

This makes our whole cost of construction $351,881. And to meet which we have :

Received from the Township of Tiny	$50,000	
" " Flos	25,000	
Stock subscribed	25,000	
		100,000
Aid expected from Ontario Government, 34 miles at $4,000 per mile	136,000	
		136,000

First Mortgage Bonds on line at $6,000 per mile, 34 miles, less 20 per cent	163,200	
		163,200
		399,200
		351,881
		$47,319

Leaving a balance of $47,319 for engines, rolling stock, &c.

We are now negotiating for an exchange of our township debentures for the County Simcoe debentures, which are saleable at or near par.

As a very large sum of money has been actually expended on the line, and upwards of 100 men are now employed on the various work of construction, I hope the matter will receive the careful consideration of the Government, as our scheme comes clearly within the Railway Act. The townships through which our line passes are sparsely peopled, and have already aided us as much as they are able. The Municipalities of Vespra, Tay and Barrie have given liberally to other lines, and we cannot expect further aid from them. Considering the absolute necessity of aid and the urgency of the case, I beg that an Order in Council may pass granting aid to the North Simcoe Railway to the extent of $4,000 per mile.

I have the honour to be, Sir,
Your obedient servant,
J. S. McMURRAY,
Pres. North Simcoe Railway Co.

BARRIE, January 10, 1876.

To the President and Directors of the North Simcoe Railway, Toronto.

GENTLEMEN—As instructed by you, I made the preliminary survey, and subsequently the final location of the line of Railway between Barrie and Penetanguishene.

I found some difficulties through the Township of Vespra; but out of the 34 miles of which the line consists, 24 I can report are of an extremely light character, as the profile accompanying this can shew.

The total estimate for constructing the Road, based on these surveys, amounts to $351,881, composed of the following items:—

Right of way	$ 3,000
Construction	178,981
Rails and laying same	161,400
Sundry expenses	8,500
	$351,881

The details of these several sums I give in the annexed list.

The contract was taken last June by Mr. A. F. Manning, at the prices set forth in Schedule A, and the works were commenced in September, and have been pushed forward since then without intermission. During the last two months a force of 130 men, besides teams, have been employed; some of the timber bridges have been erected, and the greater portion of the heavy part of the line close to Penetanguishene has been graded. If the same energy is displayed for the next three months, the Railway in the Township of Tiny will be completed and ready for track-laying, the ties being now rapidly distributed along the line.

The amount expended up to date on the North Simcoe Railway for right of way, construction and surveys is $20,000, besides expenses of management.

I have the honour to be, Sir,
Your obedient servant,
(Signed) JOHN DICKINSON,
Chief Engineer North Simcoe R'y

DETAILS OF SCHEDULE A.

No.	DESCRIPTION.		Approximate Quantity.	Price.	Total.
				$ cts.	$ cts.
1	Clearing 30 miles	at 8 acres per mile	124	17 00	2,108 00
2	Grubbing	at 15 "	15	100 00	1,500 00
3	Close cutting	at 52 "	52	15 00	780 00
4	Fencing, including gates				
	34 miles at 640 rods	21,760 rods			
	Extra round stations	740 "			
			22,500	1 00	22,500 00
5	Post and board	nil			
6	Excavation—				
	Foundations, stream diversions	per cubic yard	4,000	25	1,000 00
7	Pits, cuttings	576,500 "			
	Deduct for saving effected by re-measuring	77,877 "			
			498,623	22	109,697 00
8	Rock	nil.			
9	Tile drain	per lineal foot	740	2 00	1,480 00
10	Sawn timber				
	14 bridges	112,000 F. B. M.			
	30 cattle guards and farm crossings	120,000 "			
	Trestle	118,000 "			
			350,000	30 00	10,500 00
11	Flatted cedar—				
	Bridges, culverts	per lineal foot	30,000	20 00	6,000 00
12	Sign boards	each	66	10 00	660 00
13	Wrought iron spikes, bolts, nuts, &c.	at per lb.	15,000	10	1,500 00
14	Cast iron washers		700	08	56 00
15	Track ties, 34½ miles	2,200 per mile	76,000	20	15,200 00
	Total				172,981 00

I certify this to be correct.

JOHN DICKINSON,
Chief Engineer, North Simcoe Railway.

B.

DETAILS OF ESTIMATED COST OF CONSTRUCTION OF THE NORTH SIMCOE RAILWAY.

	$ cts.	$ cts.
Right of Way.		
34 Miles, 8 acres per mile	272 00	
Station Yards	68 00	
		3,000 00
Grading as per Schedule A		172,981 00
Stations.		
2 Terminal, $1,000 each	2,000 00	
3 Way, 300 "	900 00	
1 Flag, 100 "	100 00	
		3,000 00
Engine Sheds, Turn-Tables, &c.		
2 Engine Sheds, $600 each	1,200 00	
2 Turn-Tables, 600 "	1,200 00	
3 Tanks, 200 "	600 00	
		3,000 00

Iron Rails.

50 lbs. rail, per mile,	80	tons, at	$40.....	3,200 00	
Spikes, per mile,	2½	"	70.....	175 00	
Fish Plates,	4	"	45.....	125 00	
Bolts, per do.,	1	"	90.....	90 00	
				3,600 00	
Track Laying, per mile,.....				240 00	
Ballasting				560 00	
				$4,400 × 34	152,600 00
Sidings, 2 miles.....					8,800 00
Engineering Expenses.....					5,000 00
Extra, about.....					3,500 00
					351,881 00

I certify this to be correct,

JOHN DICKINSON,
Chief Engineer, North Simcoe Railway.

TORONTO, 17th January, 1876.

J. S. McMURRAY, Esq.,
President North Simcoe Railway, Toronto.

SIR,—As requested, I beg to give a general description of the country traversed by the North Simcoe Railway, now in course of construction through the Townships of Vespra, Flos and Tiny, the Town of Barrie and Village of Penetanguishene, in the County of Simcoe.

I have been over about twenty-four miles of the Railway from Penetanguishene southerly, surveying the right of way, and, with the exception of the heavy work necessary to attain the water level at Penetanguishene Bay the country passed over is very level and free from streams, consequently very little bridging is required. The cost for excavating, grading, &c., will not exceed in my opinion $1,000 per mile. The part of the line not visited, viz., Vespra, I understand, is not of such a level character, but still presents but few difficulties, excepting in attaining the level of Lake Simcoe at Barrie.

I was employed, as you are aware, by the Company to purchase the right of way required through the Townships of Flos and Tiny, and Village of Penetanguishene, and the accompanying Schedule represents the progress made by me in connection with that service: as you will be able to perceive, I have been enabled to secure the greater part of it at a low rate.

The soil in the Townships of Tiny and Flos is generally equal to any of the older Townships, as York, Vaughan, &c., and is now becoming rapidly settled, in fact, farms with good buildings and considerable clearings are worth, and selling for, $40 per acre; wild lands are held at from $12 to $20 per acre. The Township of Vespra is more of a sandy nature than the above-named, and consequently of not so much value for farming purposes. As some criterion of the importance of these Townships, and of Barrie and Penetanguishene, the following is a statement of the population of each, and assessed value.

	Population.	Assessed Value.
Tiny and Penetanguishene	2,954	$483,976
Flos	1,614	445,460
Vespra	2,140	521,953
Tay	1,200	398,850
Barrie.....	5,000	600,000

As regards the passenger traffic. At first, no doubt, it will be small; but as the advantages of the route are ascertained, it being the most convenient means of access to the Parry Sound Free Grant District and points on the North Shore of the Georgian Bay by steamer,

and also for Government purposes in connection with the transmission of prisoners to the Reformatory at Penetanguishene, there can be no doubt of a large revenue being derived from this branch of business.

As to freight; the probable yearly amount of sawn lumber dependent on this road for transit to Toronto and Eastern markets will be about forty millions feet, being the product of upwards of thirty miles. Farm products and live stock, too, must eventually be an important adjunct to this department of the road. Merchandise, mails, express, &c., also will be an important item of business.

Penetanguishene is the northern terminus, situated on the Bay of the same name, part of the Georgian Bay, and is completely land locked, forming a safe, commodious and natural harbour for vessels of every description; average depth of water in channel, sixteen feet. There are several large stores here. Three saw mills with a yearly capacity of upwards of ten millions of sawn lumber; population, about 1,200. The Reformatory situate here is also of much importance in connection with the said Railway project. Midland City, the eastern terminus on the Georgian Bay of the said Railway, is situate on the Bay of the same name; it is a fine harbour, average depth of water about twenty feet. Mr. Cook has erected a large mill at this point, with a capacity of twenty millions of sawn lumber annually; there is also a shingle mill. The population of Midland is about 500 souls.

Of Barrie, the Southern terminus of the Railway, distant about thirty-four miles southerly from Penetanguishene and the point of connection with the Northern Railway and the projected Hamilton and North Western Railway, it is hardly necessary to speak—as it is well known to be a thriving town in the centre of a fine farming country, and the prospect in the future of being a great Railway centre.

The foregoing appear to me to be the principal points upon which I can speak most accurately. For other and more detailed information regarding the work of construction, &c., now in progress, the chief engineer, Mr. Dickinson, will be able to enlighten you.

I have the honour to be, Sir,

Your obedient servant,

V. B. WADSWORTH,
P. L. S.

THE "NORTH SIMCOE RAILWAY CO.,"
OFFICES, YORK CHAMBERS,
Toronto, 19th January, 1876.

To the Honourable
S. C. WOOD,
Provincial Secretary,
Toronto.

DEAR SIR,—We beg to enclose you herewith, for the consideration of the Lieutenant-Governor in Council, copies of correspondence had with the Northern Railway Company of Canada relating to the leasing of the North Simcoe Railway to the said Company. From the correspondence you will see that the bonds to be issued by the North Simcoe Railway Company will be guaranteed by the Northern Railway Company. We trust, therefore, that with this increased assurance for the construction and financial stability of the North Simcoe Railway, which ensures its completion and maintenance at an early day, His Excellency the Lieutenant Governor in Council will recommend as liberal a sum as possible to be appropriated in aid of the North Simcoe Railway out of the public funds.

We have the honour to be, Sir,

Your obedient servants,

J. SAURIN MCMURRAY,
President North Simcoe Railway Co.
T. RICHARD FULLER,
Secretary and Treasurer N. S. Ry. Co.

(Copy.)

THE "NORTH SIMCOE RAILWAY COMPANY,"
Offices York Chambers, Toronto, January 18th, 1876.

WM. THOMSON, Esq.,
President Northern Railway of Canada.
Toronto.

DEAR SIR,—Referring to our recent negotiations relating to a lease of the North Simcoe Railway to the Northern Railway Company of Canada, we beg on behalf of the former Company to make you the following proposition, viz :—

1st. To lease the North Simcoe Railway to the Northern Railway Company of Canada for a period of twenty years upon a guarantee by the Northern Railway Company of six per cent. per annum on six thousand dollars *per mile*, and the balance of the *net earnings* shall be distributed as follows, viz., two-thirds to the Northern Railway Company, and one-third to the North Simcoe Railway Company.

2nd. The road, to be finished complete as a first class road, subject to the approval of competent engineers ; to include all necessary stations and wharf accommodation capable for the business.

3rd. The Northern to provide the necessary rolling stock, and to work the Road.

If the above proposition is satisfactory to your Company, we shall feel obliged by an early reply.

We have the honour to be, Sir,
Your obedient servant.
(Signed) J. S. MCMURRAY,
President North Simcoe Railway Company.
(Signed) T. RICHARD FULLER,
Secretary North Simcoe Railway Company.

Copy.

TORONTO, January 18th, 1876.

The President of the North Simcoe Railway Co.

DEAR SIR,—Since my letter to you of yesterday's date, I am in receipt of yours of to-day, containing the following proposals :—

1st. To lease your Road to the Northern for a period of 20 years, upon guarantee by them of 6 per cent on $6,000 per mile, and the balance of the net earnings shall be distributed in the following manner : two-thirds to the Northern and one-third to your Company.

2nd. The Road to be finished complete as a first-class Road, subject to the approval of competent engineers ; to include all necessary stations and wharf accommodation capable for the business.

3rd. The Northern to provide the necessary rolling stock, and to work the Road.

I beg to state that I am prepared to accept the above proposals.

Yours truly,
(Signed) WILLIAM THOMSON,

P.S.—From enquiries made and information received, I have confidence in stating that your Road will not only be of great benefit to that section of country, but contribute to such an extent as will fully warrant the negociations now entered into.

(Signed) W. T.

(Copy.)

THE "NORTH SIMCOE RAILWAY CO,"
OFFICES YORK CHAMBERS,
Toronto, January 18th, 1876.

WM. THOMSON, ESQ.,
President Northern Railway Company,
Toronto.

DEAR SIR, We are in receipt of your communication of this day in reply to our proposition regarding the leasing of the line of the North Simcoe Railway to the Northern Railway Company of Canada, and beg to say that our Executive Committee will at

once instruct our solicitor to prepare a draft lease in accordance with our mutual understandings for the consideration and approval of yourself and the Board of Directors.

We have the honour to be, Sir,

Your obedient servants,

(Signed) J. Sutherin McMurray,
President North Simcoe Railway Co.

(Signed) T. Richard Fuller,
Secretary & Treasurer, North Simcoe Railway Co.

The "North Simcoe Railway Company,"
Offices York Chambers,
Toronto, January 19th, 1875.

To the Honourable S. C. Wood,
Provincial Secretary,
Ontario.

Dear Sir,—We beg to enclose you herewith for the consideration of the Lieutenant-Governor in Council our *Amended Financial Scheme* which we are enabled to furnish you with, from our having received an agreement from the Northern Railway Company of Canada to guarantee our bonded issue to the extent of $6000 per mile. We, therefore, beg leave to modify our application for Government assistance to the sum of $3000 per mile as under the arrangement which we have entered into with the Northern Railway Company they will furnish the necessary equipment and run the Road.

We have the honour to be; Sir,
Your obedient servants,
J. S. McMurray,
Pres. North Simcoe Railway Co.
T. R. Fuller,
Sec. and Treas. N. S. Ry. Co.

The "North Simcoe Railway Co.,"
Offices, York Chambers,
Toronto, January 19th, 1876.

The *Amended Financial Scheme* of the North Simcoe Railway Company, under the *Guarantee* of the North Simcoe Railway Company's *Bonds* by the *Northern Railway of Canada*, to the *extent of* $6,000 per mile *for* 34 *miles*.

Total amount of cost of Railway as shown in Schedule B, p. 4, $351,881.

Resources.

	$ cts.	$ cts.
Tiny Bonus (vote)	50,000 00	
Flos	25,000 00	
	75,000 00	
Less Discount	10,000 00	
	65,000 00	
Stock subscribed	25,000 00	
	90,000 00	
Aid now asked from the Ontario Government 34 miles, at $3,000 per mile	102,000 00	
		192,000 00
First Railway Mortgage Bonds guaranteed by the Northern Railway Company, 34 miles at $6,000 per mile	204,000 00	
Less Discount	30,600 00	
		173,400 00
		$365,400 00

SUPPLEMENTARY RETURN

Of Correspondence and Papers relating to the "North Simcoe Railway," subsequent to that printed in Sessional Papers, January 17th, 1876.

By Command,

S. C. WOOD,
Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, 21st January, 1876.

SCHEDULE.

1. Petition from the Corporations of the Township of Tiny and the Village of Penetanguishene to His Honor the Lieutenant-Governor.
2. Indenture of Lease between the North Simcoe Railway and the Northern Railway of Canada.
3. Petition from the Corporation of the Township of Tay to His Honor the Lieutenant-Governor.

To His Honor the Lieutenant-Governor of the Province of Ontario in Council,

The Petition of the Corporation of the Township of Tiny and the Village of Penetanguishene

HUMBLY SHEWETH:

That a Charter has been granted to the North Simcoe Railway Company for the construction of a line between the Town of Barrie and the Village of Penetanguishene, and that apart from the said line, this portion of the country, though one of the oldest settled districts in Ontario, is wholly destitute of railway accommodation.

That the said railway will not only be the means of opening up the agricultural resources of the fertile townships situate in the district through which it passes, but will also be a great boon to the lumbering interests of this portion of the Province.

That along the shores of the Georgian Bay there are a great number of saw mills erected, between which and the harbour of Penetanguishene communication by water is at all seasons during navigation perfectly safe, owing to the great protection from storms afforded by the immense chains of islands extending around the northern and eastern shores of the Georgian Bay.

That the harbour of Penetanguishene, the terminus of the said North Simcoe Railway, cannot be surpassed for safety and accommodation.

That the construction of the said Railway has proceeded with the utmost vigour, and the contractors have already completed a large portion of the work.

That owing to the low price of labour at present, the work on the said road is able to be performed at a much lower figure than was at first anticipated, and should the Company be given such assistance as would enable them to complete the construction of the line whilst labour and material are so cheap and easy to be got, a great saving will be effected in the cost of the road.

The Townships of Tiny (including the newly incorporated Village of Penetanguishene) and Flos have granted liberal bonuses to the said Railway.

Your Petitioners would humbly suggest that the said Railway is worthy of receiving the legislative aid, inasmuch as it is of vital importance to the prosperity of this portion of the country and a large tract on the shore of the Georgian Bay; and would further suggest that, as a means of communication with the Provincial Reformatory, it would be a benefit to the rest of the Province; and your Petitioners would therefore pray that your Honour in Council would be pleased to favourably entertain the application of the North Simcoe Railway Company for the legislative grant, and that such aid and assistance might be afforded to the said Company as your Honor in Council may think just and fair.

And your Petitioners would further declare that they have every confidence in the integrity and ability of the Board of Directors of the said Railway, the members of the said Board being men of wealth and position in the country, the larger number of them being leading local men in this district, who have the interest and prosperity of this part of the country at heart, in the furtherance of this scheme.

And your Petitioners will ever pray, &c.

(Signed) GEORGE CLARKE,
Reeve of Tiny.

(Signed) HARVEY THOMPSON,
Clerk of Tiny.

(Signed) P. H. SPOHN,
Reeve of Penetanguishene.

(Signed) W. J. KEATING,
Clerk of Penetanguishene.

This Indenture made this Twentieth day of January, in the year of our Lord one thousand eight hundred and seventy-six, between the North Simcoe Railway Company hereinafter called the Lessors, and the Northern Railway Company of Canada, hereinafter called the Lessees.

Whereas, the North Simcoe Railway Company are authorized to construct a railway from the Village of Penetanguishine to some point at or near Barrie;

And whereas, some progress has been made in the construction of the said railway;

And whereas, the said Lessors are authorized among other things by their Charter, to enter into an agreement to lease unto the Lessees their said railway, and such agreement is thereby declared to be valid and binding and enforceible by Courts of Law and Equity, according to the terms and tenor thereof;

And whereas, it is the mutual interest of the said Lessors and Lessees, to secure permanent connections between the line of the said Lessees and the projected line of the said Lessors. And whereas, to accelerate the construction and completion of the said projected line, and secure thereafter the efficient and profitable working thereof, the said Lessees have agreed to enter into an agreement with the said Lessors to lease and work their said road, when completed for twenty years, upon the terms and conditions hereinafter mentioned:

Witnesseth: That the Lessors and Lessees each for themselves, their successors and assigns, respectively covenant and agree with the other in manner following, that is to say:—

The said Lessors will forthwith by all reasonable means and resources within their power and control, build and complete the said line of railway, as a first class railway, including all necessary stations and buildings, for the efficient working of the traffic and wharf accommodation, subject to the approval of competent engineers, to be chosen in the same manner as hereinafter agreed upon for the appointment of arbitrators. The said Lessors agree to lease to the said Lessees the whole of the said railway, and to place the said Lessees in possession thereof when completed and opened, and approved as aforesaid, for the period of twenty years, to commence and take effect when the same is so completed and opened, and approved as aforesaid for traffic.

Yielding and paying therefor to the said Lessors, a sum equal to one-third of the net receipts from the traffic and business of the railway of the said Lessors. Such net receipts to consist of the balance after deducting from the gross receipts all charges and expenses of every kind incurred in the management, maintenance and working by the said Lessees of the said railway, and also after deducting interest, at six per cent. on the bonds of the said railway to the extent of six thousand dollars for each mile thereof.

And the said Lessees covenant and agree with the said Lessors to pay to the holders of the said bonds interest thereon at the rate of six per cent. per annum, such issue of bonds not to exceed six thousand dollars for each mile of the said projected railway, and also sidings according to official measurement upon which Government subsidy is granted.

And the said Lessees further agree that they will indemnify and keep harmless the said Lessors with respect to the said interest, and not suffer the same to get into arrear, such interest to be payable at some banking house in London, or such other place as may be named by the said Lessees, on the first days of March and September in each year.

And it is also agreed by and between the said Lessors and Lessees that the issue of debentures and bonds upon the security of the said railway shall not, unless with the consent of the said lessees, exceed in the whole a sum equivalent to six thousand dollars per mile as aforesaid; and the said bonds or debentures shall be from time to time issued as may be mutually agreed upon, and in case of disputes as to the time or times when they shall be issued, the manner in which the proceeds thereof shall be protected and applied, the amount thereof, and all other matters in relation thereto, shall be left to arbitrators to be chosen as hereinafter mentioned, but in no case shall an issue be made before at least two-thirds of the works of the whole line shall have been completed ready for the rails.

And it is declared that the payment of such interest by the Lessees is in the nature of rent and on account thereof, and in default thereof it is hereby declared that, in addition to other remedies, the ordinary remedies for rent in arrear may be applicable to the recovery thereof.

In the event of the said Lessees failing, for the period of one year from the date of payment as herein provided, to pay to the said Lessors one-third of the said net receipts, or of being in arrear for one year in the payment of the said interest, the said lessors shall have the right to treat this lease as at an end, and may thereupon re-enter and resume possession and control of the said railway.

The said Lessees agree to maintain the said line of railway of the Lessors from the time of completion and transfer of possession thereof during the whole of the said term in good order, and to deliver the same at the expiration of the said term to the said lessors in as good a plight and condition as the same shall be received by the said Lessees at the commencement of the said term, reasonable wear and tear thereof excepted.

In the event of the said Lessees constructing any new or additional works or improvements, or reconstructing the then existing works of the said road upon a higher or more permanent standard than required by the original specifications hereinbefore referred to, the said Lessees shall be entitled, provided that the specifications for the same shall have been first approved, and the additional works sanctioned, by the said Board of Directors of the Lessors, to charge the additional or extra amount so expended as an advance of additional capital to the said Lessors, which amount shall be ascertained at the close of each year, and thereafter the same shall bear interest at the rate of six per cent., and may be retained by the said Lessees out of any moneys coming to the said Lessors under this lease, after the payment of the interest upon the said mortgage bonds, and the expenses of management as aforesaid; and at the expiration or other sooner determination of this lease, the principal so expended, or the unpaid balance thereof, shall be repaid to the said Lessees, who shall be entitled, until payment thereof, to retain possession of the said road, or in the event of a renewal of this lease, then the terms of payment shall thereby be provided for and agreed upon.

In the event of the Canadian Board of Lessees requesting the sanction of the Lessors to any new or additional works or improvements, upon the ground that the same are essential to the proper and more profitable working of the traffic of the line of the Lessors, and shall prepare and present specifications and estimates for the same, and the Lessors shall thereupon refuse or neglect to sanction the same, then it shall be lawful for the Lessees to appoint one indifferent person, who, together with another to be appointed by the Lessors, who, together with a third to be chosen by them, shall decide whether the proposed works are essential to

the proper and more profitable working of the traffic of the said lines, and whether the same, if constructed by the Lessees, shall be chargeable against the Lessors in manner hereinbefore mentioned.

The said Lessees agree to provide a sufficient number of Engines and Cars for the use of the Lessors for laying and ballasting the track, and such other Engines and Cars as may be required in the construction of the said line at a fair rental.

The said Lessees do hereby agree and become bound to provide the necessary locomotive engines, cars and other rolling equipment requisite for the proper and efficient working of the said railway, so soon as the same shall have been completed as before specified, and shall during the continuance of this lease work the said railway, and efficiently keep in order and maintain the same, and shall also keep open and maintain stations at such places as have been prescribed by the By-laws granting bonuses to the said Lessors.

The said Lessees shall have, during the continuance of this lease, entire control and management of the said railway, hereby leased, as well in regard to the regulating and settling from time to time, the amount and rate of tolls, fares, freights and other charges to be paid, collected and taken thereon, and the mode of collecting and receiving the same, and also all other matters and things in any way touching or incident to the using, operating and working of the said railway, and the development of its traffic, and all the powers conferred to the said Lessors by their Act of Incorporation, so far as the same can be transferred or are applicable are hereby assigned and transferred to the said Lessees, and shall relate and extend to the working of the said railway during the term hereby granted, but the tariff for freight and passengers on the said railway of the Lessors shall be relatively the same as that in operation from time to time over the railway of the Lessees.

The Directors and the Chief Officers of the Lessors shall have free passes over both lines of railway.

The said Lessees shall make and keep separate and accurate accounts to be made out at the end of each half year ending on the thirty-first day of December and the thirtieth day of June, and on the first days of the months of March and September in each year and at such other convenient dates as may be mutually agreed upon by the parties hereto; the said Lessors and Lessees shall severally appoint an auditor to examine the same who shall, if they deem it necessary, have free access to and liberty to investigate, inspect and take copies of the books and vouchers of the said Lessees at any station or office on either line so far as they relate to the traffic in this lease referred to, and in the event of any difference in the adjustment of such half-yearly accounts between the said two auditors they shall appoint some third person as referee between them, and the decision of such referee shall be binding upon all parties; and in computing the earnings upon such traffic as may be common to both railways, the rate charged therefor shall be credited to each railway in proportion to the respective mileage of each railway over which the said rate may have been charged.

And it is also agreed between the parties hereto that in case any dispute arises between them as to any of the matters or things in this indenture contained, including the question of proper working expenses, the same shall be referred to the award or arbitrament of two disinterested persons, one of whom shall be appointed by each of the said parties who shall jointly choose a third disinterested person to act as arbitrator, and the decision of such arbitrators shall be final and binding; and in case either of the said parties refuse or neglect to appoint an arbitraror within twenty days after notice in writing for that purpose may have been given to either of them, then the decision of the arbitrator of the party giving notice shall be binding on both parties.

And it is hereby agreed that in all cases hereinbefore provided for arbitration, the award of the arbitrators or of the majority shall be binding.

As witness our hands and the seals of the said Corporations the day and year first above written.

J. Saurin McMurray, [L.S.]
President North Simcoe Railway Co.

T. Richard Fuller, [L.S.]
Secretary & Treasurer of North Simcoe Railway Co.

SUPPLEMENTARY RETURN

Re North Simcoe Railway, subsequent to that printed in Sessional Papers 21st January, 1876.

By Command,

S. C. WOOD,
Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, January 24th, 1876.

SCHEDULE OF PAPERS RELATING TO THE "NORTH SIMCOE RAILWAY."

Statement of work done and material provided to date.

(Copy.)

NORTH SIMCOE RAILWAY.

Statement showing amount of Work done to date.

No.	Description.	Quantities.	Price.	Total.
1	Grubbing, per acre	50/100	$100 00	$50 00
2	Clearing "	60	17 00	1,020 00
3	Excavation in Foundations, diversions, &c.	2,500	0 25	625 00
	Cuttings, per cubic yard	48,324	0 22	10,831 00
4	Timber.—Pine, per M. ft. B.M.	20,000	0 30	600 00
	Cedar, flatted, per lineal foot	2,500	0 20	652 00
	" Posts	216	0 30	64 00
5	Ties.....each	12,000	0 20	2,400 00
6	Iron.—Wrought, per lb	4,500	0 10	450 00
	" Cast	200	0 08	16 00
	Material delivered on Company's ground, but not worked up :			
	Pine, per M. ft. B.M.	30,000	11 00	330 00
	Cedar	500	20 00	100 00

Iron.—Wrought, per lb	$3,000	$0 08	$ 240 00
" Cast "	300	0 07	21 00
			17,399 00
Original Surveys			1,950 00
Right of Way			800 00
Engineering Expenses			900 00
Total			$21,049 00

I certify that the above Statement shows correctly the amount of work done up to date.

(Signed) JOHN DICKINSON,
Chief Engineer.

Barrie, 20th January, 1876.

RETURN

Of Correspondence and Papers relating to the "Ontario and Pacific Junction Railway."

By Command,

S. C. WOOD,
Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, December 20th, 1875.

SCHEDULE OF CORRESPONDENCE AND PAPERS RELATING TO THE "ONTARIO AND PACIFIC JUNCTION RAILWAY."

1875.

July 3rd.—Letter from the President of the Company to the Honourable the Provincial Secretary, enclosing memorial of the Ontario and Pacific Junction Railway Company for Government aid.

Nov. 16th.—Letter from the President of the Company to the Honourable the Attorney-General.

" 23rd.—Letter from same to the Honourable the Provincial Secretary.
Memo.—Map showing proposed route of the Railway.

(Copy.)

ONTARIO AND PACIFIC JUNCTION RAILWAY COMPANY,
Toronto, July 3rd, 1875.

To the Honourable the Provincial Secretary, Toronto.

SIR,—I have the honour to enclose herewith the memorial of the Ontario and Pacific Junction Railway Company to His Excellency the Lieutenant Governor in Council, praying for aid towards the construction of their line of railway.

I have the honour to be, Sir,
Your obedient servant,
(Signed) J. D. EDGAR,
President O. & P. J. Ry. Co.

(Copy.)

To His Excellency the Lieutenant-Governor of Ontario in Council.

The Memorial of the Ontario and Pacific Junction Railway Company,

RESPECTFULLY SHOWETH as follows:—

The Ontario and Pacific Junction Railway Company was incorporated by an Act of the Dominion Parliament in the Session of 1874 (37 Vic. cap. 74), with full charter powers to connect the Georgian Bay Branch of the Canadian Pacific Railway with the railway system of Ontario.

The Provisional Directors named in the Act are William Thompson, of the City of Toronto, Esquire; John Turner, of the same place, Esquire; D. Galbraith, of the same place, Esquire; James D. Edgar, of the same place, Esquire; John Moat, of the City of Montreal, Esquire; Henry S. Howland, of the City of Toronto, Esquire; Herman H. Cook, of the same place, Esquire; and A. P. Cockburn, of the same place, Esquire; and under the provisions of the Act there have since been added: C. J. Campbell, of Toronto, Esquire, A. T. H. Williams, of Port Hope, Esquire; James Holden, of Whitby, Esquire, Robert Jaffray, of Toronto Esquire; and Thomas Kelso, of Belleville, Esquire. The above persons together constitute the Corporators of the Company.

It has been a question of serious deliberation with the Company to select the best location for a line of railway connecting the Georgian Bay Branch of the Canadian Pacific Railway with the railway system of Ontario. To the eastward, that connection has been practically effected through the Dominion aid given to the Canada Central Railway Company towards construction, from the eastern terminus of the Georgian Bay Branch to a point near Renfrew. It therefore became necessary for the Company to consider (being entirely unfettered in its choice of location) where the shortest and most serviceable route could be found to connect the railway systems of Western and Central Ontario with the Georgian Bay Branch Railway, and with the new districts to be opened up by it. The accompanying map shows the approximate location which has been selected, as combining in the highest degree the requisites for such a line. The southern terminal point has been fixed at Gravenhurst, as the most northern limit of existing railway extension from the front, and very centrally situated. To hug the shores of Georgian Bay too closely would seem to be an error inexcusable if any other route were feasible. The rugged outline of that coast presents serious engineering difficulties: direct competition with water communication would be involved in such a policy, and scarcely any new districts would be opened up for settlement. Moreover, to connect with the Georgian Bay Branch Railway only at the mouth of French River would fail to give Western Ontario a fair opportunity to compete with Montreal for the valuable trade that must be developed all along the line of that Branch.

An additional circumstance in favour of this location exists in the comparatively rich agricultural country which it would penetrate. In the summer of 1874, this Company had careful explorations made over the whole distance from Gravenhurst to Lake Nipissing by a skilful and experienced engineer. He reported having found a line of only average engineering difficulty, and discovered that it would traverse a territory both well timbered and well adapted for agriculture.

While there is yet no trade upon Lake Nipissing, it is considered very important that Ontario should have a line to connect with the Georgian Bay Branch, upon such a location as by the shortest possible extension to the northward may command the prospective commerce of these waters. It is still uncertain whether the main line of the Canadian Pacific Railway will pass to the east or west of Lake Nipissing, and the proposed location of the Junction Railway is adapted to connect with it very directly upon either route. A glance at a railway map of this Province will show that a large portion of the Ontario railway system is converging to a point at or south of Gravenhurst. From Belleville in the east, to Hamilton in the west, nearly all existing and projected lines running back from the Lake aim at reaching the district to the north of Lake Simcoe.

In order that all lines so reaching this district may have full opportunity of getting north as far as Gravenhurst to make the latter a common point, this Company has obtained from the Northern Railway Company of Canada a consent to allow to all Companies the facilities for fullest transportation of their traffic and cars over its line from Barrie northward to Graven-

hurst, at rates to be without discrimination, and referable to arbitration in case of dispute. Indeed the rights of the Grand Junction and Midland Railway Companies in this respect are already secured to them, to their entire satisfaction, by an Act of the Dominion Parliament, entitled "The Northern Railway Act, 1875."

Before any Railway Company can fairly claim to receive exceptional aid from the public moneys of this Province, it should be able to show not only that its construction will confer Provincial advantages, but also that its operation will be uncontrolled by any monopoly and that its benefits will be equally shared in by all connecting lines. The Ontario and Pacific Junction Railway Company aim at rendering their line an absolutely neutral link to bridge over the territory that intervenes between Gravenhurst and the Dominion Branch Railway; and to invite all Ontario lines that can connect with its southern terminus to do their business over it, to and fro, without any discrimination or preference whatever.

It is respectfully urged that since the system of eastern connections with the Georgian Bay Branch Railway has been already matured, it is greatly in the interests of Ontario that no delay should be permitted in placing the Provincial lines of railway in a position to compete for a trade, to a considerable share of which they are legitimately entitled. The very heart of the Free Grant District would also be rapidly developed by this line, and settlement rendered possible and attractive where it now involves the greatest sacrifices and hardships to the pioneer. Thousands of acres of valuable timber, such as is now annually consumed to ashes in the process of clearing, would in future become by means of this railway a source of wealth to the settler instead of a costly embarrassment in his way. These are some of the many immediate claims of this enterprise upon the country, but there is the still more important and paramount claim that a scheme must possess which is to place the Provincial centres of population, commerce and wealth in direct communication with the great transcontinental main line of Canadian Railway.

There is no expectation that bonuses can be obtained from Municipalities along this railway, as only scattered settlements exist for a few miles at its southern end. It is in that respect in the same condition as the Georgian Bay Branch and the Canada Central Extension were when recently aided by the Dominion Government.

As an inducement to undertake their Extension, the Canada Central Company have received a grant of twelve thousand dollars per mile, and it is not contended that they could have attempted it with less assistance. The contract for the construction of the Georgian Bay Branch, eighty-five miles in length, was advertized for public competition, and the lowest of many tenders was accepted.

Still, the Dominion are paying for that line ten thousand dollars per mile in cash, paying also four per centum interest for twenty five years on seven thousand five hundred dollars per mile, of bonds, and giving in addition twenty thousand acres of land per mile. This demonstrates what was the result of testing by open competition the amount of public aid required to secure the construction of a railway through the same description of country, this Company proposes to serve. The lowest and accepted tender very much exceeded the twelve thousand dollars per mile bonus granted to the Canada Central for their extension. The cheapness of some railway supplies at present must be acknowledged, but that advantage is more than counterbalanced by the depreciation of all Canadian railway securities in the London market, and this Company does not consider that it will be possible to construct the railway to connect Gravenhurst with the Georgian Bay Branch Railway, unless they receive as a bonus, in cash or its equivalent, twelve thousand dollars per mile from the Province of Ontario.

Under all these circumstances it is most respectfully submitted that the public interest will be greatly served by your Excellency's recommending to the Legislature of Ontario, at its earliest sitting, such an appropriation to aid the Ontario and Pacific Junction Railway Company as will secure the prompt construction of a line of railway from Gravenhurst to connect with the Georgian Bay Branch of the Canadian Pacific Railway at such point as may be deemed best.

And your memorialists will ever pray, &c.

(Signed) J. D. EDGAR,
President O. & P. J. R. Co.

(Signed) C. J. CAMPBELL,
Vice President.

Toronto, July 3rd, 1875.

(Copy.)

PACIFIC JUNCTION RAILWAY COMPANY,
Toronto, November 16th, 1875.

HON. O. MOWAT, M. P. P.,
&c., &c.

DEAR SIR.—In a few days I hope that the surveys for this Company will be so far completed as to give you sufficient information to guide you in arriving at the policy of Government on the subject of the Company's application for special aid. In the meantime there is an aspect of the case that I think well worth the while of your Administration to consider. A land grant to this Railway is not asked, and would not likely be entertained, for many reasons; at the same time it is undeniable that the construction of the railway will very largely enhance the value of the land through which it may run. Without adopting the policy of giving land to a Railway Company, and without in any way breaking in upon the general policy of free grants, it seems to me that the Government which secures the construction of a railway through public lands, is in every way justified in withdrawing from the free grant system a certain portion of the public domain upon each side of the railway. The price to be asked from settlers might perhaps be fixed at $1 per acre, and that from ordinary purchasers at $2 or more per acre. In the vicinity of a railway, agricultural lands at $1 per acre are, if not free grants, certainly more valuable grants to settlers than the lands they now get for nothing. In this way exceptional expenditure in aid of our line would not only be justified but recouped by sales of land, not to speak of receipts from timber dues, which would be largely increased.

If a tract were thus set apart of say ten miles on each side of the line, that would give 12,800 acres to the mile. The Free Grant lands lying without and immediately adjoining the reserve would no doubt be at once settled upon, and would thus give an early value to the reserved lots more distant from the railway, in this way equalizing the value of the whole reserve. Without a railway, the pine timber with which this country abounds is not and cannot be a source of revenue to Government, unless it happens to be near waters upon which it can be floated away to market. The revival of the lumber trade is to be anticipated by the time this line would be opened for traffic, and the additional revenue from that source, together with the sale of reserved lands, would probably return to the Government, directly and in money, a sum equal to a bonus of $12,000 per mile.

Some system might be devised of funding the special revenues receivable by reason of the construction of the railway, to meet the repayment of advances to the Company. The possibility of forming a land reserve of this kind along a railway would mark the distinction which many people think ought now to be drawn between ordinary lines of railway in Ontario and those which are in the proper sense of the term colonization lines.

Hoping that you will be able to give our Board an early opportunity of discussing this question with yourself or other members of the Executive,

I have the honour to remain,
Your obedient servant,
J. D. EDGAR,
President O. & P. J. R. Co.

(Copy.)

ONTARIO AND PACIFIC JUNCTION RAILWAY CO.,
Toronto, Nov. 23rd, 1875

SIR,—I have the honour to state, for the information of the Government, that the Board of this Company have received a Report from their Engineer, C. W. Moberly, Esq., upon the probable cost of the line of railway from Gravenhurst to the junction with the Georgian Bay Branch of the Canadian Pacific Railway, a distance of 75 miles. The surveys and explorations have already extended from Gravenhurst to Parry Sound, on the west of Lake Muskoka, and up to and beyond the Maganetawan River, on the east side, and surveys are being

continued on to Lake Nipissing. While engineering difficulties exist on both routes, there is not reported to be any insurmountable obstacle. The average cost of a line, as far as the surveys extend, is estimated by Mr. Moberly on a cash basis at $23,500 per mile, exclusive of rolling stock; or, with rolling stock, at $26,000.

On a careful estimate of this kind, the Board feel that they should allow a fair margin for extras and contingencies, and considering the remote part of the country, they think that $27,000 is probably the smallest sum per mile for which the work can be done. The capital account would therefore stand thus:—

Government aid equal to	$12,000	per mile.
Stock subscription	2,000	"
Bonds, $16,250, at 20 per cent. discount	13,000	"
	$27,000	"

In submitting the former memorandum to the Government, dated July 3rd, 1875, this Board did not enter into any details as to the system of payment of the public grant, but would now beg to suggest that in the consideration of their financial scheme they have felt that a commutation into a twenty-year annuity of the whole or a part of the bonus would be quite as acceptable as a grant of the whole bonus in cash, if it should be more desirable in the public interests to adopt the annuity system.

Heretofore the system of payment of public bonuses in Ontario has been to reserve the whole grant until the *completion* of sections of the work. That was applicable to a state of affairs in which the Government aid bore a small proportion to the rest of the capital; but in the case of this railway the public grant forms a very large portion of the capital, and is necessarily required from time to time during construction. A system of monthly payments, such as has been adopted by the Dominion Government in aiding the Canadian Pacific Railway, is submitted as quite applicable to the case of this railway.

I have the honour to be,
Sir,
Your obedient servant,
(Signed) J. D. EDGAR,
President O. & P. J. R. Co.

To the Honourable the Provincial Secretary,
Toronto.

RETURN

Of Correspondence and Papers relating to the "Norfolk Railway," subsequent to that printed in Sessional Papers, 1874.

By Command,
S. C. WOOD,
Secretary.

Provincial Secretary's Office,
Toronto, December, 1875.

SCHEDULE OF CORRESPONDENCE AND PAPERS RELATING TO THE "NORFOLK RAILWAY."

1875.

Dec. 6th.—Petition of the Brantford, Norfolk and Port Burwell Railway Company to His Honor the Lieutenant-Governor in Council for a further subsidy in aid of their Railway to the amount of fifteen hundred dollars per mile.

To His Honor the Lieutenant-Governor and Council of the Province of Ontario.

The Petition of the Brantford, Norfolk and Port Burwell Railway Company

HUMBLY SHEWETH :

That the section of their Railway between the Towns of Brantford and Tilsonburg, when completed, will connect the Railway system of South-western Ontario with the whole Railway system of the Province, and it is of the utmost importance in the interests of trade, that it should be in operation at an early day. Unfortunately, owing to the stringency of the money market, and the undue depreciation of Canadian Railway securities through the efforts of certain enemies to Canadian progress, this Company has been unable to sell its Bonds, and having had, in consequence, to carry on all their operations on a credit instead of a cash basis, has had to pay higher prices for all materials and work than was originally estimated. The Company now finds itself in the position of having expended all its capital, with the Railway in an unfinished state, in so far as relates to Rolling Stock, Buildings, Tanks, etc., and unless further aid is extended to them, all that has been done must be lost, or at least remain for years a burden, instead of a boon to the people who have taxed themselves to secure the construction of this important Line.

Your Petitioners, therefore, would respectfully request that you will cause an Order in Council to pass granting a further subsidy in aid of the above section of their Railway, to the amount of Fifteen Hundred Dollars per mile.

Your Petitioners would further respectfully submit: That they are anxious to proceed with the section of their line from the Town of Tilsonburg to Port Burwell on Lake Erie, but the subsidy of $1,97.10 per mile, per annum, for twenty years, already granted in aid of this important section of their Railway is quite inadequate to justify them in proceeding with its construction, and would respectfully request that the grant in aid thereof be increased from two to four thousand dollars per mile. The following are the facts upon which the Company bases its claim for such increase on the subsidy, viz:

1st. That Port Burwell is an important harbour, and will in all probability soon be made a harbour of refuge as the unanimous voice of all persons interested in Lake Shipping declares that it is the best harbour and most suitable on the north shore of Lake Erie, for such a purpose; and the Dominion Government has, during the present year, expended a large sum in its improvement. It is, therefore, of the utmost importance in the interest of the trade of the Province of Ontario, that Port Burwell should become connected with the general Railway system of the country.

2nd. Owing to the configuration of the land over which this section of the Railway will have to be built, being intersected by numerous streams requiring a large expenditure for bridges, the cost of construction will be nearly double that of any other portion of the Line.

3rd. That nearly fifteen miles of this section will be in the Township of Bayham, and in order to provide the necessary Municipal Aid required to secure its construction, the municipality will be required to tax itself beyond its ability to pay, more especially as the Township has been forced, as a portion of the County of Elgin, to contribute largely towards aiding the London and Port Stanley, and Canada Southern Railways, to neither of which, it should, in strict justice, have been required to contribute, and has granted a Bonus of Thirty Thousand Dollars in aid of the present proposed Railway. The total liabilities the Township of Bayham has assumed for the improvement of the country is over $100,000. From this it will be seen that the financial burdens of the Township are fully as heavy as it can bear, and it would be unjust to ask them to increase them.

Your Petitioners would, therefore, respectfully submit That, owing to the difficulties of construction of the Port Burwell section of their Line, the inability of the country through which it will run to grant any further municipal aid, and the value this extension of the Railway will be to the trade of the Province, as connecting an important harbour with the general Railway system of the Province, that the said section of their line is justly entitled to the further aid now prayed for. They therefore ask your Honourable body to cause an Order in Council to be passed granting such further aid.

And as in duty bound your Petitioners will ever pray.

Signed, JAMES CARROLL.
President.

Signed, W. J. IMLACH.
Secretary.

Brantford, December 6th, 1875.

SUPPLEMENTARY RETURN

Of Correspondence relating to the "Norfolk Railway," subsequent to that printed in Sessional Papers, December, 1875.

By Command,

S. C. WOOD,
Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, January 10th, 1876.

SCHEDULE OF CORRESPONDENCE RELATING TO THE "NORFOLK RAILWAY."

1875.
Dec 16.—Petition of the Municipal Council of the County of Oxford.

(Copy.)

To the Honourable the Lieutenant Governor of the Province of Ontario, and Legislative Assembly, in Parliament assembled,

The Petition of the Warden and Members of the Municipal Council of the County of Oxford, in Council assembled,

HUMBLY SHEWETH :—

First—That the Brantford, Norfolk and Port Burwell Railway is now being constructed from Port Burwell, on Lake Erie, to the Town of Brantford, and is nearly completed from the Town of Tilsonburg to the Town of Brantford.

Second—That said Railway Company are desirous of completing said line as early as possible, and the construction so far has been done principally by the help of local capital.

Third—That your Petitioners believe that, when completed, it will be one of the cheapest built roads in the Province.

Fourth—That owing to the late depression in the money market, the said Company are unable to raise sufficient means to complete said road.

Fifth—That said road passes through a very fine section of country, and is a local necessity.

That your Petitioners pray that your Honourable House will be pleased to grant further aid to said railway.

And your petitioners, as in duty bound, well ever pray.

(Signed) G. H. Cook, [P.S.]
Warden.

County Council Chambers, Woodstock,
16th December, 1875.
(Signed) David White,
County Clerk.

SUPPLEMENTARY RETURN

Of correspondence relating to the "Norfolk Railway," subsequent to that printed in Sessional Papers, 10th January, 1876.

By Command,

S. C. WOOD,

Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, 22nd January, 1876.

SCHEDULE OF CORRESPONDENCE RELATING TO THE "NORFOLK RAILWAY."

1876.

Jan. 21st.—Letter from the Secretary of the Company to the Treasurer, enclosing financial statement.

BRANTFORD, January 21st, 1876.

To the Honourable the Treasurer of Ontario,

SIR,—Since the deputation from the Brantford and Norfolk Railway had the honour of waiting upon the Government I have been instructed to prepare a financial statement of the position of the Company, which I herewith submit for the consideration of the Government.

I have the honour to be, Sir,
Your obedient servant,
(Signed) W. J. IMLACH,
Secretary.

Financial statement of position of the section of the Brantford, Norfolk and Port Burwell Railway from Tilsonburg to Port Burwell, a distance of 17 miles.

TOTAL AVAILABLE ASSETS.

Township of Bayham, bonus	$30,000
Township of Houghton, bonus	10,000

Town of Vienna	4,000
Government subsidy for 17 miles, at $2,000	34,000
	$78,000

CONSTRUCTION.

From surveys and estimates made for cost of construction of this section, it is found from the configuration of the country that it will be much more costly in proportion than the other section from Brantford, requiring about 1,500,000 ft. of timber to provide for the many bridges necessary to cross the various streams near to Lake Erie. In earthwork again, the quantities in cubic yards to be removed will be more than double that of the whole 33 miles of the other section.

It is fairly estimated that the total cost of this section will be in figures at least $13,000 or $14,000 per mile—$238,000, leaving balance to provide for of $160,000.

Financial statement of the position of the section of the Brantford, Norfolk and Port Burwell Railway between the Town of Brantford and Tilsonburg, a distance of 33 miles.

TOTAL AVAILABLE ASSETS.

Town of Brantford, bonus	$70,000
Township of Burford, bonus	30,000
Township of North Norwich	30,000
Town of Tilsonburg	8,000
Government subsidy, say $2,000 per mile	66,000
Paid up stock	25,000
Stock still due	5,000
Total	$234,000

COST OF CONSTRUCTION.

Grading and bridging completed	$80,000
Repairs to road bed since 1874	5,000
Repairs to Grand River bridge	20,000
Ties	26,000
Fencing and farm gates	29,800
Iron rails, plates, spikes, &c	140,000
Track-laying 35, including switches	7,875
Ballasting	8,600
Five station houses	4,000
Signals for road crossings	250
Two engine houses	1,500
Two turn-tables	2,500
Three tanks	2,000
Extension for connection with Great Western	5,000
Semaphores and switches	1,500
Right of way	18,000
Engineering Account	8,000
Expense account	4,500
Discount on debentures	6,000
Law costs	1,500
Interest account	7,500
Unforeseen expenses	4,000
	$388,225
Deficit over assets	154,225

From the foregoing statement it will be seen that the balance of $154,225 has in some way to be provided for before the road can be completed. The Company feel that if the aid now asked from the Government be granted, the Company would be in a position to complete their line, as the amount over such aid could be raised by borrowing on the security of the road. The Company have had to provide for a large additional amount for construction, in consequence of the loss of their bridge over the Grand River, at Brantford. The Company further fear that unless some relief is afforded them they will not be able to complete their line of Railway.

W. J. IMLACH,
Secretary.

RETURN

Of Correspondence relating to the Northern Railway.

By Command,

S. C. WOOD,
Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, January 19th, 1876.

PETITION OF THE PRESIDENT OF THE COMPANY AGAINST GRANTING ANY AMENDMENTS TO THE CHARTER OF THE HAMILTON AND NORTH WESTERN RAILWAY.

To the Honourable DONALD ALEXANDER MACDONALD, *Lieutenant-Governor of the Province of Ontario, in Council.*

The Petition of the Northern Railway Company of Canada,

HUMBLY SHEWETH:

That your Petitioners are desirous of reminding your Honour of the importance of their railway to the counties through which it passes, the Dominion and Province, and to the City of Toronto, and any Act tending to cripple its resources would be most prejudicial to that undertaking.

Your Petitioners desire also to call the attention of your Honour to the Act passed at the last Session of the Dominion Parliament, in pursuance of the provisions of which the large lien of the Government was commuted in order to give the necessary financial relief required by the Company for the further development of that undertaking.

Your Petitioners intend shortly to place on the English market a new issue of stock, for the purpose of providing the necessary funds for the extinguishment of the Government lien, as provided by the Act above referred to, and for works tending to more effective general service; and being most desirous of keeping faith with the foreign lenders, view with alarm any Act of your Honour that might to any extent thwart the object they have in view.

Your Petitioners feel confident that in railway legislation by your Honour, respect will be had to existing and vested interests, which the capitalists look upon as their right to claim from the country in which their investments are made.

Your Petitioners, while conceding the right to any municipalities to grant aid to roads for the further development of territory, and also the privilege your Honour enjoys in extending Government aid to such lines as in their wisdom they deem necessary; yet your Petitioners, having the interests of the proprietors and the foreign creditors to guard, pray that your Honour will protect them in the important trust committed to their charge.

Your Petitioners are cognizant of the fact that a railway company, called the Hamilton and North Western Railway, have applied for aid to your Honour; this line being intended

to penetrate and traverse the same district of country already occupied by your Petitioners, and that for a distance of 40 miles northward from the City of Hamilton it is mapped out to cross five lines of railway.

Your Petitioners do not hesitate to say (apart from interference with existing rights) that the road in question is not needed, and venture the opinion that the traffic which may come over it (if constructed) will not give an adequate return for the capital invested therein, owing to the undue competition that will necessarily take place.

Your Petitioners further beg to point out the fact that the Hamilton and North Western Railway Company have been granted powers to extend their road from some point near Angus to Collingwood, which, if constructed, will run parallel with your Petitioners' line of railway, and only be separated therefrom by an average distance of two and three-quarter miles.

Your Petitioners have been informed that a suit is now pending in the Superior Courts of Law to have the Charter of the said the Hamilton and North Western Railway declared void, on the ground of non-user within the time limited by its Act of Incorporation, and that the said railway are applying for amendments to their Charter under terms that virtually will amount to a revival of said Charter. Should the Charter be so revived, and aid granted towards the same, your Petitioners pray that in granting aid to this road (should your Honour see fit so to do), aid will not be extended to that portion of the line between Angus and Collingwood.

Your Petitioners desire also to state that that portion of their line between Angus and Collingwood has now ceased to give that lumber and timber traffic which it formerly supplied; and the Lake trade, which at one time found its outlet at Collingwood, has been to a very considerable extent diverted into other channels, such as Sarnia, Windsor, Goderich, Owen Sound, &c.

Your Petitioners therefore pray that your Honour will not take any action in the matter of granting any amendments to the Charter of the Hamilton and North Western Railway, or extending aid thereto, without considering and protecting the vested and existing interests of your Petitioners; and especially that your Honour will refuse to grant any aid to the said railway toward the construction of their said line from the Village of Angus northward; and that the facts set forth in this Petition, and the present position of the Northern Railway of Canada in all its aspects, may be calmly and wisely considered.

And your Petitioners, as in duty bound, will ever pray.

On behalf of the Northern Railway Company of Canada,

(Signed) WILLIAM THOMSON,
President.

{ L. S. }

RETURN

Of Correspondence and Papers relating to the "Ontario Mineral Railway."

By Command,

S. C. WOOD,
Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, December 21st, 1875.

SCHEDULE OF CORRESPONDENCE AND PAPERS RELATING TO THE "ONTARIO MINERAL RAILWAY."

1875.

Sept. 20th.—Letter from John B. Maas & Co., to the Honourable the Commissioner of Crown Lands.

MADOC, 20th September, 1875.

Hon. T. B. PARDEE.

SIR,—I venture to address you on a matter of public concern, viz:—The building of a railway from Lake Ontario, to the Hastings Mineral Region. The want of such an outlet has long been felt in this section of the country, and during the past three years two routes have been projected to serve this purpose. These are the "Belleville and North Hastings Railway," and the "Trenton Valley Railway." Now, a new scheme has during the past few months presented itself called the "Ontario Mineral Railway."

The latter road has been projected by us from sheer necessity for some mode of communication to utilize our mineral resources, and to enable us to commence mining operations on an extensive scale. We have waited in all patience and have repeatedly urged the commencement of the Belleville and North Hastings and the Trenton Valley schemes, but without any results, and have come to the conclusion that neither of these roads ever will be built for a very long time; in fact, not while under their present management.

Why, we will now proceed to state—Firstly—the Township of Madoc, a year since, voted a bonus of $30,000 to the Belleville and North Hastings Railway, and the Town of Belleville also granted this undertaking a considerable sum, and yet work has not been commenced, with the exception of the farce enacted some few days since of turning the first sod at White Lake near Madoc Village.

Secondly.—The people of the County of Hastings defeated a By-law for a bonus in aid of this undertaking, submitted to them by the promoters of this road, shewing either that they

were not in favour of the road, or had no confidence in the men having this enterprize in charge.

Thirdly.—The validity of the By-law passed by the Town of Belleville giving aid to this road is now being tested in the Court of Chancery, and we are assured by eminent legal authorities that the objections taken to it are well founded, and that the By-law would of a certainty be quashed.

Fourthly.—The Company are depending on Municipal and Government assistance to an unreasonable amount to help in building this road, and in default of sufficient aid in these channels not being received, the enterprize will undoubtedly fall to the ground.

Fifthly.—We believe that it is not in the public interest that this road, the Belleville and North Hastings, should be built, as it does not accommodate that section of country which stands most in need of railway facilities.

As regards the Trenton Valley, we have to say that its stock is held by the Belleville and North Hastings Company, who have taken it up for the express purpose of securing control of the road, and delaying its progress until the Belleville and North Hastings Railway shall have secured such bonuses from the country as will have warranted the success of their own concern.

As an instance of the apathy of the directors of this road, we may state that the Village of Trenton voted $30,000 bonus more than two years since to this undertaking and so far nothing has been done by the directorate—absolutely nothing to prove their earnestness in relation to this project and to give the public the least hope that it will ever be built.

The prospects being so bad for the building of a railroad, and our occasions for one so urgent, we are forced into coming forward with a scheme of our own. As will be seen from the following copy of notice of application for charter, we start from a point on the Grand Junction, and run thence northwards.

"Notice is hereby given that application will be made, at the next Session of the Legis-"lature of the Province of Ontario, for an Act of incorporation for a line of railway run-"ning from a point on the Grand Junction, at or near the Village of Sterling, through "the Townships of Rawdon, Marmora, Madoc, Tudor and Limerick, with permission to have "running powers over and use the said Grand Junction Railway, to the Port of Belleville, and "all other lines of railway that may hereafter be constructed, connecting the said mineral "region with Lake Ontario. The said line of road to be known as the 'Ontario Mineral Rail-"way.'"

"John B. Maas & Co."

"Madoc, 19th August, 1875."

This line will accommodate the Lithographic Stone Works, the Toronto Gold Mining Company, Marmora and Madoc Villages, and the Iron Mines in the Township of Marmora and Madoc, as also will prove a ready and accessible route for the products of the Blairton Iron Works. It will serve as an outlet for the adjacent Townships of Belmont and Lake, which are rich in minerals, and will run into the Free Grant lands of Tudor, Limerick and the northern Townships, and thus give transportation facilities to a section almost inaccessible except by a long and tedious waggon road. If we can get a charter we are prepared to go to work and construct this road to the Township of Madoc the first year, and to the Township of Tudor the second year, and not ask to handle one cent of Municipal bonus that may be granted us or any Government aid that may be given to forward this enterprize until the Madoc Section shall have been completed, when a proportionate amount shall be paid and the balance on the completion of the road. We will give sufficient and satisfactory securities for the performance of any engagements, we enter into in this connection. Our object in writing this, is that we desire to inform you how matters really stand in the County of Hastings, in relation to railways. Mr. Wood, the President of the Belleville and North Hastings Road is about approaching the Government to get a grant in aid of his road, and having obtained this, his policy is then to apply to the county for a bonus (which on a former occasion was voted down). What we say, is, give us a charter and assist whatever undertaking the county may give a bonus to, and declare by so doing, it is really desirous to have built whatever line of route any competent and disinterested engineer appointed by the Government may decide to be the most feasible, and best adapted to serve the public interests of this section of the country.

We say that it would be extremely injudicious for the Government to promise its support to any undertaking which has been so long a time incorporated, and which has done so little to accomplish the object it was created to effect. The turning of the first sod of this road is of a character with its past history; as it is done merely with the design of impressing the Government with the idea that work on it is being prosecuted with vigour—which is not the case.

Might we trouble you in the meantime to inform the Hon. Mr. Mowat, of the contents of this letter. We trust to be in the city at the end of the week, and will then see yourself and him in relation to this matter.

Respectfully yours,
(Signed) JOHN B. MAAS & Co.

RETURN

Of Correspondence and Papers relating to the "Ontario and Quebec Railway."

By Command,

S. C. WOOD,
Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, December 23rd, 1875.

SCHEDULE OF CORRESPONDENCE AND PAPERS RELATING TO THE ONTARIO AND QUEBEC RAILWAY.

Petition of the Inhabitants of the Village of Lanark, praying that aid may be granted to the Company.

To His Excellency the Honourable William Pearce Howland, Companion of the most Honourable Order of the Bath, Lieutenant-Governor of the Province of Ontario, in Council:

The Petition of the undersigned inhabitants of the Village of Lanark,

HUMBLY SHEWETH:—

That a Company has been formed for the purpose of building a Railway to connect the Cities of Toronto and Ottawa, called the Ontario and Quebec Railway Company.

That two routes are spoken of as available for said Railway, between a point in the Township of Oso and Village of Carleton Place.

That your petitioners have heard that your Government contemplate granting a bonus to said road, and therefore humbly pray, that should the Directors of said Company decide to build said road via Perth, no bonus be granted by your Government for that portion of the road between said point in Oso and Carleton Place, for the following reasons:

1st. The Town of Perth having comparatively no traffic of its own, properly speaking, is dependent on the townships lying north and west of it, for whatever traffic it can offer to a Railway.

Lanark and Dalhousie, on the other hand, are now manufacturing more than fifteen million feet of sawn lumber annually, and should said Railway be made via Lanark, the lumber trade would be largely increased; also, a Railway via Lanark would go through the centre of a country inexhaustible in minerals, and from which now are shipped annually about (10,000) ten thousand tons of best quality of iron ore. With greater

facilities for carriage this trade would soon assume very large proportions. If said road go by Perth, the lumber and iron ore businesses would probably remain in their present very partially developed condition, if not greatly decreased.

2nd. The nature of the country through which the road would pass, if made via Lanark, is unquestionably better adapted for the purpose than via Perth. For nearly the whole distance between Carleton Place and Oso there is a route, via Lanark, as favourable as could well be found. Only two bridges would be required to cross the Mississippi River, and at very easy places, whereas the bridging necessary to cross a swamp on the south end of the Mississippi Lake, on the route via Perth, would be far longer, more difficult and more expensive. A Railway going from Perth to said point in Oso would have to cross for a portion of the distance (probably several miles) ground almost impracticable for railway purposes.

3rd. The distance from Carleton Place, via Lanark, to said governing point in Oso is at least five miles shorter than that via Perth. If said Railway be built via Perth it will open up no new industries; it will go ten miles at least away from the best centre of traffic; it will, from the greater length, be detrimental to the public interests, and do no good to any save a few property holders in Perth.

4th. Perth is already connected with Carleton Place by railway, giving facilities more than sufficient for all its wants.

5th. If said road be built via Lanark it will be much nearer to Crown lands in the Townships of Darling, Dalhousie, Lavant, Palmerston, &c., which are known to be rich in minerals; facilities for the development of which would greatly add to the industries of the Province.

For these reasons your petitioners humbly pray that no bonus be granted to said Company for that portion of the road between Carleton Place and Oso, if they decide to have it made via Perth, but that a liberal bonus be granted should they decide to make it via Lanark.

And your petitioners, as in duty bound, will ever pray.

(Signed) A. G. Dobbie,
and 113 others.

We, the undersigned, inhabitants of the Village of Carleton Place, feeling deeply interested in the welfare not only of the Quebec and Ontario Railway, but also the general development of the resources of the country through which said Railway would pass via Lanark, in preference to the route via Perth, fully concur in the statements and prayer of the foregoing petition.

(Signed) Robert Campton, *Reeve*,
and 200 others

RETURN

Of Correspondence and Papers relating to the Prince Edward County Railway, subsequent to that printed in Sessional Papers, second Session, 1874.

By Command,

S. C. WOOD,
Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, December 20th, 1875.

SCHEDULE OF CORRESPONDENCE AND PAPERS RELATING TO PRINCE EDWARD COUNTY RAILWAY.

1875.

June 1.—Letter from Chas. Bockus, Vice President of Company, to J. G. Scott, Esq., enclosing
Petition of Prince Edward County Railway Company to Lieutenant-Governor.
" 2.—Letter from J. G. Scott, Esq., to Chas. Bockus, Esq.
" 16.—Letter from Chas. Bockus, Esq., to Hon. O. Mowat.
" 21.—Letter from Assistant-Secretary Eckart to Chas. Bockus, Esq.
" 26.—Letter from Chas. Bockus, Esq., to Assistant-Secretary Eckart.
July 8.—Letter from Assistant-Secretary Eckart to Chas. Bockus, Esq., enclosing
Copy of an Order in Council approved 30th June, 1875.
July 8.—Memorandum of the Prince Edward County Railway Company.
Aug. 23.—Letter from Hon. O. Mowat to Chas. Bockus, Esq.
" ".—Letter from Chas. Bockus, Esq., to Hon. O. Mowat.
Sept. 1.—Letter from Chas. Bockus, Esq., to Hon. O. Mowat.
" 4.—Letter from H. Kinloch, Esq., to Chas. Bockus, Esq..
" 30.—Letter from Assistant-Secretary Eckart to Chas. Bockus, Esq., enclosing
Copy of an Order in Council approved 25th September, 1875.

OFFICE OF THE PRINCE EDWARD COUNTY RAILWAY,
Picton, 1st June, 1875.

DEAR SIR,—May I beg of you to have the kindness to lay the accompanying petition before His Excellency the Lieutenant-Governor in Council at your earliest convenience?

It is with great reluctance that I am obliged again to appeal to the generosity of the

Honourable the Executive Council of Ontario for a further extension of the time allowed by Order in Council for the filing of contracts for the construction of our road.

Soliciting your kind attention to my petition,

I am, your obedient servant,

CHAS. BOCKUS,
V.-Pres. P. E. C. Ry. Co.

J. G. Scott, Esq., &c., Toronto.

(Copy.)

To His Excellency the Honourable DONALD ALEXANDER MACDONALD, *Lieutenant-Governor of the Province of Ontario, &c., &c., in Council.*

The Petition of the Prince Edward Railway Company,

HUMBLY SHEWETH:

That from the continued depression of the money markets of England and the United States, seriously affecting all railway securities, and the consequent money stringency experienced in every department of business in the Dominion of Canada, has rendered it injudicious, if not impossible, for your petitioners to force upon the market their securities, sufficient to enable them to put the entire construction of their railway (except the rails) under contract, so as to avail of the liberal subsidy granted by the Government of the Province of Ontario in aid of their said railway, by the first day of July now next ensuing.

Your petitioners therefore pray that your Excellency in Council will be pleased to extend the time for filing the contract for the construction of the said railway to the first day of July, in the year of our Lord one thousand eight hundred and seventy-six.

And your petitioners, as in duty bound, will ever pray.

CHAS. BOCKUS,
V.-Pres. P.E. C. Ry.

Picton, 1st June, 1875.

TORONTO, 2nd June, 1875.

SIR,—I have the honour to acknowledge yours of 1st instant, enclosing a Petition of your Company for the extension to 1st July, 1876, of the time for filing a contract for the construction of the Railway, and beg to say that the application will be submitted to the Council at an early date. I may remark that the Petition would have been more regularly transmitted through the Department of the Provincial Secretary.

I have the honour to be, Sir,
Your obedient servant,
(Signed) J. G. SCOTT

Chas. Bockus, Esq.,
Vice-President Prince Edward Co. Railway Co.,
Picton.

OFFICE OF THE PRINCE EDWARD COUNTY RAILWAY CO.,
Picton, 16th June, 1875.

DEAR SIR,—I beg you will pardon me for troubling you with an inquiry after the fate of the Petition of this Company to His Excellency the Lieutenant-Governor in Council, ask-

ing for an extension of the time for filing the contracts for the construction of the Prince Edward County Railway, as the line must be completed by the 15th October, 1876, to secure the payment of the County bonus. I am aware we have already been indulged by the Government, but that indulgence has not caused a slackening of our efforts; but the derangement of the currency question in this and the adjoining country has been a hindrance in securing the required funds.

The Company have now an offer from a most acceptable party as a business man, to construct and complete their road, but knowing that he has not the means in his own pocket to complete the job, but will have to rely on some bank for a part of the money, we have hesitated to accept his offer, which in ordinary times would be considered unexceptionable, and we have had another application from a firm in Boston, who is represented to have ample personal means to complete the road. One of the latter firm expects to be here in a day or two to pass over the line, and before closing with either party the Company must be prepared to exhibit reliable resources to cover the necessary outlay. Unless the Company can rely on the Government bonus it will be out of their power to do so: indeed, without that aid the road must be abandoned. With it we have the means secured to pay the cost of the road complete, with rolling stock ready for traffic, according to the estimates of our Engineer, except the sum of $138,568, and we propose to issue road bonds for $150,000, which latter sum will be the total indebtedness of our road.

An early reply will greatly serve the Company, and oblige

Your most obedient servant,
CHAS. BOCKUS,
V.-Pres. P. E. C. Ry.

The Hon. O. Mowat,
Toronto.

PROVINCIAL SECRETARY'S OFFICE, ONTARIO,
Toronto, 21st June, 1875.

SIR,—With reference to your letter of the 1st inst., transmitting Petition from the Prince Edward County Railway Company, I am directed to inquire as to what the Company has been doing in the way of progress, and the grounds on which the Company expects to be able to file the contract for the construction of the said Railway on the 1st of July, 1876.

I have the honour to be, Sir,
Your obedient servant,
I. R. ECKART,
Assistant-Secretary.

Chas. Bockus, Esq.,
V.-Pres. P. E. C. Ry. Co.,
Picton.

OFFICE OF THE PRINCE EDWARD COUNTY RAILWAY,
Picton, 26th June, 1875.

DEAR SIR,—After an absence of several days, I returned yesterday and found your favour of the 21st inst.

Learning incidentally that the Honorable the Executive Council required to know the present position and future prospects of our road before acting upon the Petition for an extension of time for filing contracts, &c., on the 16th instant I wrote to the Hon. O. Mowat, giving him the required information, and on the 19th June I received a reply through Mr. Striker, saying, "I will recommend the extension of time which the Company desires. Yours truly, (Signed) O. Mowat."

I will be greatly obliged if you will inform me if this is quite sufficient. I have become aware that I sent the Petition through the wrong office, which has probably caused the present trouble to you. Your reply will oblige

Your obedient servant,
CHAS. BOCKUS,
V.-P. P. E. C. Ry.

I. R. Eckart, Esquire,
Assistant Secretary,
Toronto.

PROVINCIAL SECRETARY'S OFFICE, ONTARIO,
Toronto, 8th July, 1875.

SIR,—I am directed to transmit herewith Copy of an Order in Council, extending the time limited by Order in Council of the 15th July, 1874, for furnishing proof to the satisfaction of His Honor in Council of the existence of a *bona fide* and sufficient contract for the completion of the works (exclusive of track-laying) of the Railway between the Grand Trunk Railway and Picton, from the 1st day of July, 1875, to the 1st day of July, 1876, subject to the ratification of the Legislative Assembly, and also to the conditions of the Railway Acts and of the Orders in Council of the 24th March, 1873 and 15th July, 1874.

I have, &c.,
I. R. ECKART.
Assistant-Secretary.

Chas. Bockus, Esq.,
V. Pres. P. E. C. Ry. Co.,
Picton.

Copy of an Order in Council approved by His Honor the Lieutenant-Governor, the 30th day of June, A.D. 1875.

The Committee of Council have had under consideration the Report of the Honorable the Treasurer, dated 29th June, 1875, wherein he reports, for the information of your Honor, that the Petition of the Prince Edward County Railway Company states that from the continued financial depression, all railway securities are seriously affected, and that it is injudicious if not impossible for the Company to attempt to realize their securities so as to enable the Company to enter into a contract for the completion of their works under the conditions of the Order in Council of the 24th day of March, 1873. That it further appears by the letter of the Vice-President, dated 16th June instant, that the Company is engaged in negotiations with contractors and persons of means for the construction of their railway, and that the Company being secured the amount of the subsidy provided by the Order in Council of the 24th March, 1873, will be in possession of sufficient means to enable it to pay the cost of the construction of the road complete, with rolling stock ready for traffic, but that until the money market is in a more settled condition, the Company cannot satisfactorily enter into final arrangements for the construction of its road; and, upon the recommendation of the Treasurer, the Committee advise that, under the circumstances, the time limited by the Order in Council of the 15th July, 1874, for furnishing proof to the satisfaction of your Honor in Council of the existence of a *bona fide* and sufficient contract for the completion of the works (exclusive of track-laying) of the Railway between the Grand Trunk Railway and Picton, be extended from the 1st day of July, 1875, to the 1st day of July, 1876, subject to the ratification of the Legislative Assembly, and subject to the conditions of the Railway Acts and of the Orders in Council of the 24th March, 1873, and 15th July, 1874.

Certified,
J. G. SCOTT,
Clerk Executive Council, Ontario.

The Honourable the Provincial Secretary.

Memorandum of the Prince Edward County Railway, for the Honourable the Premier of the Province of Ontario.

In negotiating for funds to complete the Prince Edward County Railway, difficulties have arisen from the condition attached to the Order in Council extending the time for filing the contracts for the works of that Railway. The ratification of Parliament is no doubt as certain as anything not accomplished can well be; still the possibility of disappointment, involving so large a proportion of the resources of the Company, has caused hesitation, and may end in our being unable to close the arrangements now in progress. It is hoped that, the principle of the grant having been sanctioned by Parliament, the delay in filing the contracts, being a mere unimportant detail, may be dealt with finally by the Council. It will also further contribute to the success of the Company if the Hon. the Executive Council will now decide as to the mode of payment, instead of reserving the option until the payment is due. Either mode, the cash or semi-annual payments, will be acceptable. It is confidently hoped that with these alterations a contract can be speedily entered into, and the road completed early in the ensuing season.

CHAS. BOCKUS,
Vice-President.

TORONTO, 23rd August, 1875.

SIR,—With respect to your memorandum and our conversation respecting the Prince Edward County Railway Company, I have now to say that it will be out of our power to dispense with the sanction of the Legislature being required to the Order in Council granting aid to your Company.

I do not, however, see that there can be any objection to stating distinctly the fund from which the payment is to be made An Order in Council will pass within a few days, specifying that the assistance which may be granted to the P. E. C. Co. will come from the Railway Subsidy Fund, subject to legislative sanction.

Your obedient servant,
(Signed) O. MOWAT.

Charles Bockus, Esq.,
Vice-President P. E. C. Ry. Co.,
Picton.

PICTON, 23rd Aug., 1875.

DEAR SIR,—Referring to the application made to the Hon. the Executive Council, on the 20th inst., asking that Hon. body to fix upon the fund definitely from which the subsidy granted to the Prince Edward County Railway Company shall hereafter be paid, this step is necessary to enable the Company to anticipate the payment, in the prosecution of the works, and in asking you to name the Railway Subsidy Fund as the source from which our grant should be paid, I did it under the impression that the half-yearly payments that will have accrued between the 1st January, 1872, and the time of the completion of the road will be then paid in cash. Suppose the Railway to be completed on the 1st Jan., 1877, ten half-yearly payments will then have accrued. Am I quite right in supposing those payments will then be paid in cash?

Please pardon my neglect in not making this enquiry when I had the pleasure of meeting you.

I have the honour to be,
Your obedient servant,
CHAS. BOCKUS.

The Hon. O. Mowat, &c., &c.,
Toronto.

OFFICE OF THE PRINCE EDWARD COUNTY RAILWAY COMPANY,
Picton, 1st Sept., 1875.

DEAR SIR,—On the 23rd ultimo I had this pleasure in which I took the liberty of saying, I understood the payments proposed to be made by the Government of Ontario from the Railway Subsidy Fund, to aid in the construction of the Prince Edward County Railway, would be computed from the first day of January, 1872, and that when the Railway was completed, the amount that had actually accrued up to that time, would be paid in cash, and asked your confirmation of that reading of the Order in Council.

In making the required financial arrangements for carrying on the work of constructing the said Railway, it is important that the Company should be able to state authoritatively the manner in which the Government payments will be made; and being now in treaty for the necessary funds for that purpose, I trust you will pardon me for asking most respectfully for an early reply to my letter of the 23rd August.

I have the honour to be, Sir,
Your obedient servant,
CHAS. BOCKUS.

To the Hon. O. Mowat, &c., &c.,
Toronto.

TORONTO, 4th Sept., 1875.

SIR,—I am directed by the Attorney-General to acknowledge your letter of the 23rd August, and to say that your impression is correct as to the rule that the half-yearly payments which will have accrued by the time of the completion of the road are then paid in cash.

Your obedient servant,
(Signed) H. KINLOCH.

Chas. Bockus, Esq.,
P. E. C. Ry. Co.,
Picton.

PROVINCIAL SECRETARY'S OFFICE, ONTARIO,
Toronto, 30th September, 1875.

SIR,—I am directed to transmit herewith, for your information, copy of an Order in Council approved by His Honor the Lieutenant-Governor the 25th day of September, 1875, having reference to the subsidy granted to the Prince Edward County Railway.

I have the honour to be,
Sir, your obedient servant,
(Signed) I. R. ECKART,
Assistant Secretary.

Charles Bockus, Esq.,
Vice-President Prince Edward Co. Railway.

Copy of an Order in Council approved by His Honor the Lieutenant-Governor, the 25th day of September, A.D. 1875.

The Committee of Council have had under consideration the application of the Vice-President of the Prince Edward County Railway Company as to the fund out of which the subsidy granted to the said Company under the Orders in Council of the 24th March, 1873, and 15th July, 1874, shall be payable.

The Committee advise that in lieu of the payment of two thousand five hundred dollars per mile for the said portion of Railway which is by the Order in Council of the 24th March, 1873, authorized to be made, payment be made out of the Railway Subsidy Fund to the said Company, of the sum of two hundred and forty-three dollars per mile, for the said portion of their Railway. Such sum shall be payable by even half-yearly payments of one hundred and twenty-one dollars and fifty cents each, on the 30th day of June and the 31st day of December in each and every year during the period of twenty years, to be computed from the 1st day of January, 1872, and to the full end thereof.

The Committee further advise that payment be made in respect of any portion of the Railway between the said points not less than twenty miles in length, on the fulfilment of the conditions of the Act establishing the said fund.

The Committee further advise that this Order be subject to the ratification by the Legislative Assembly, of the Order in Council dated 30th June, 1875, extending the time allowed to the Company for furnishing proof of a *bona fide* and sufficient construction contract, as in such Order is particularly specified.

Certified,
(Signed) J. G. Scott,
Clerk Executive Council, Ontario.

29th September 1875.

SUPPLEMENTARY RETURN

Of Correspondence relating to the "Prince Edward County Railway," subsequent to that printed in Sessional Papers, 20th December, 1875.

By Command,

S. C. WOOD,

Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, January 24th, 1876.

(Copy.)

TORONTO, 22nd January, 1876.

SIR,—I have the honour to state, for the information of the Government of the Province of Ontario, that the position of the Prince Edward County Railway is as follows:—

The estimated cost of the Railway, based upon actual survey, and including a moderate equipment, is $400,000.

The cash assets of the Company are:

1st. Subsidy from Province of Ontario, due in cash on completion of the road	$40,500	
Add sixty per cent. for additional grant	24,300	
		$64,800
2nd. Subsidy from County of Prince Edward		87,500
3rd. Capital stock, $100,000 subscribed, on which 10 per cent. has been paid		$10,000
Additional calls, to be made as required		40,000
		$202,300

To provide the balance, it is proposed to issue 6 per cent. bonds of the Company for the amount of $200,000, the interest upon which will be guaranteed by the following income possessed by the Company, over and above anything that may be derived from the earnings of the road:—

1st. Semi-annual payments due from the Province of Ontario of $197.40 per mile, on 33⅓ miles of road, is $6,480, equal annually to		$12,960
2nd Subsidies from Town of Picton	$20,000	
" Village of Wellington	2,500	
	$22,500	

Of this sum, 5 per cent. and interest at 6 per cent. on the unpaid principal, is payable annually, equal to an average annual payment for 20 years of ..... $ 2,040

$15,000

Upon this showing, I rely with confidence upon being able to complete the Railway during the incoming season, and

I have the honour to be, Sir,
Your obedient servant,
(Signed) W. S. MACDONALD.

The Honourable the Provincial Secretary,
Toronto.

RETURN

Of Correspondence and Papers relating to "Port Dover and Lake Huron Railway" subsequent to that printed in Sessional Papers, 1874.

By Command,

S. C. WOOD,
Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, December 21st, 1875.

SCHEDULE OF CORRESPONDENCE AND PAPERS RELATING TO THE "PORT DOVER AND LAKE HURON RAILWAY."

1874.

June 19th.—Memo.—Map, showing route of the Port Dover and Lake Huron Railway.
Prospectus of said Company, 1874.

1875.

Oct. 26th.—Copy of Order in Council.
Petition of the Company praying for further aid.

Dec. 16th.—Petition of the Warden and members of the Municipal Council of the County of Oxford, praying for further aid to the Port Dover and Lake Huron Railway.

" 22nd.—Letter from William Warren to the Honourable the Attorney-General, enclosing a petition from the County Council of Norfolk, praying for further aid to the Port Dover and Lake Huron Railway.

PORT DOVER AND LAKE HURON RAILWAY COMPANY.—PROSPECTUS, 1874.

In presenting to the shareholders a brief statement of the position of the Company, and a short sketch of the country through which the road passes, the Directors would call the particular attention of those interested, to the unparalleled advantages possessed by the Company: (1) The favourable connections with all the through lines of railway in Ontario; (2) the fertility and prosperity of the country traversed; (3) the absence of engineering difficul-

ties in the course of the line adopted, to which may be added the large amount of work already done and acquired by the Company at little cost; thus assuring the construction of the road at estimates below those of any similar road in the Province; and in proof of the correctness of the Engineer's calculations, we may state that the contracts for grading, bridging, fencing and delivery of ties have been let, and considerable portions of the work done, at rates less than the estimates made by the Engineers; (4) the large amount of municipal grants, and high standing of the debentures issued to meet the same; (5) the acceptance by the Ontario Government of the contracts let as a basis for the Order in Council for the subsidy of $2,000 per mile, and lastly, the very small bonded debt that will necessarily have to be incurred to place the whole road in good working order.

Port Dover & Lake Huron Railway.

General Remarks.

The history of Railway enterprise, either in the United States or Canada, furnishes abundant evidence of its mighty influence in the settlement of a new country and the rapid development of its resources. In the early settlement of Canada the Frontier Townships, as they are still called, were the first occupied, not because the land was superior, or that it possessed greater natural resources, but for the obvious reason of ready access by the then only cheap and reliable mode of conveyance. While water communication is still the cheaper means of transportation, its fullest advantages are secured only in connection with railways. Gravel roads have done much to open up the interior, and in giving facilities for the shipment of surplus produce; but it was not until the advent of railways—and particularly what is now termed "local roads"—that our markets became equalized and the resources of our back country began to be fully developed. Lands, which a few years ago were deemed useless, from the fact of their isolation, together with the cost of bringing such lands into profitable cultivation, have now become valuable. New districts have suddenly arisen from obscurity to an equality with older and more early favored sections. Its timber, which was once considered an encumbrance, becomes a source of wealth to its owner, and the rapidity with which the land is developed into profitable farming lands is almost marvellous. Its produce finds a ready market in older countries; thus by the equalization of supply and demand, both buyer and seller are mutually benefited, and a general prosperity ensues.

The early railway systems of Canada were projected more particularly with the view of securing "through traffic" to and from the "Great West" and with the expectation of dividends to its shareholders, than for the special purpose of developing the country through which they pass; yet, in seeking to attain the object named, inestimable benefits have resulted to Canada from the accommodation afforded by these roads. A glance at the map of the Peninsula of Western Ontario informs us that nearly all the railways now in operation are "through lines" leading East and West. This arises from its peculiar situation, being in a direct line of route from the Atlantic to the Pacific, and over which the teeming millions of persons and countless tons of produce must necessarily pour, always increasing and inevitably adding to the number of such "through roads." It may be gratifying to us as a Province to point with pardonable pride to the rapid increase of their number and the amount of traffic done; but we turn with still greater pleasure to the more direct advantages afforded by "local roads."

The impetus given of late to the construction of such road is, no doubt, due in a very large measure to the liberal policy of the Government in subsidizing and encouraging such enterprises, supplemented by way of municipal bonuses, while, as in the case of other and larger enterprises, the prospect for direct dividends to shareholders is extremely remote, yet the direct advantages to the country served by them are incalculable, and need no further elucidation for proof of the correctness of this statement.

Object of this Company.

The promoters of the Port Dover & Lake Huron Railway do not assume that its construction will produce all the benefits hinted at in the foregoing remarks, but they do claim for it some special reasons why its construction will advantage the country to be served by it. While a great portion of the country along its route has already the means of railway accommodation by the through lines referred to, yet the lack of competition, the one with the other,

places the country in a dependent position, both as to accommodation and tariff rates, hence the necessity of competition, which, by means of this road, its advocates reasonably hope, in some measure, to produce. Commencing at Port Dover, on Lake Erie, and proceeding northwards we intersect the "Loop Line" at Simcoe; the Canada Southern at Hawtrey; the Great Western and Credit Valley at Woodstock, and the Grand Trunk at Stratford. At the latter place the road is to be continued under another charter and company – but with close business connections with this road—still northward crossing the Wellington, Grey and Bruce and the Toronto, Grey and Bruce Railways, and terminating at Colpoy's Bay and Owen Sound, on the Georgian Bay, where at the latter town it will also connect with the Northern Branch of the Toronto, Grey and Bruce Railway. Thus, in crossing this peninsula from South to North, no less than seven intersections will be made with roads running almost at right angles, and with which it is expected to make running arrangements, and thus bring all the roads with which such terms are made, into direct competition with each other at such intersections. It will be readily seen that this cross-road will give to shippers and others a choice of routes and more immediate accommodation. The country traversed by this road is probably the most fertile, populous, and progressive of any part of the Province for the same length of route. When we consider the almost certainty, at no distant day, of obtaining reciprocal trade relations with the United States, and that all the surplus produce of this Province will find a ready and profitable market almost at our very doors, we may safely assert that no portion of Ontario will possess more favorable facilities, either for the disposal of the products of the soil, or for the ready procuring of such articles from our neighbours as circumstances may require.

Cities, towns, manufactories of all kinds, as well as railway companies, are fast adopting the use of coal as fuel, and the time is not far distant when its general use will become a necessity. We must naturally look to the extensive coal fields of Pennsylvania for supplies of that article. Erie is the great coal distributing centre for that commodity, and the easy access to that city from Port Dover directs our attention to that source. Admitting the correctness of the above, and considering the special advantages offered by this road for its distribution over the entire Peninsula, it must follow that a very large amount of traffic will be done in this article. The same remarks in regard to distribution may be also applied to any or all other articles of commerce which may be required from the East or South particularly. The same facilities will exist for the shipment of salt, petroleum or general agricultural products. No section in the Province produces a greater amount of cheese, and few surpass it in the abundance of fruit, both of which will enter largely into the traffic returns for this road. It is estimated that in one township alone not less than 5,000 barrels of apples were rotted and lost to the trade last fall for want of railway facilities. Very many other article could be mentioned that will form important items for traffic, but only one more need be referred to, viz. lumber. This article is becoming scarce, while the demand is rapidly increasing, and very soon we must depend on the northern sections of the Province for our supplies. Thus for our own internal trade, the necessity for this cross-road must be apparent to every unprejudiced mind, and to further corroborate the views herein expressed, we take the liberty of adding an extract from an article that appeared in the Erie (Pa.) *Dispatch* on the 26th of February last, which will illustrate our position and show what is said of the scheme by our neighbours. It is as follows:—

"*An Opportunity to be Improved.*"

"Easy and direct communication with Canada is something of vast importance to any "American city, but it is of especial value to a place possessed of the advantages belonging "to Erie. Those Provinces want, and must import from the United States, immense quan- "tities of coal. From no point on the whole coast line of the lakes can this fuel be obtained "in greater abundance, of better quality, and at less cost than from Erie. With the Petro- "leum Railway in operation, we should have competing lines tapping the best coal fields in "the State both anthracite and bituminous. The completion of this road is probably a "question of only a few months, and our facilities will then be such that Erie will practi- "cally, control the business of exporting coal, provided a good channel of distribution, readily "accessible from this point, is opened through the heart of Western Canada. The comple- "tion of the Port Dover and Lake Huron Railway will supply this necessity. That little line "of railway will intersect four of the great iron arteries that stretch across the Province of

"Ontario from east to west. The avenues of commerce which radiate from this line are ex-"cellent and abundant. The building of the road could not fail of making Port Dover a "great distributing point, and our vast coal interests would there find a convenient and valu-"able market. In return for her cargoes of black diamonds, Erie would attract to her docks "the varied and ever-increasing products of the Dominion. Our city would become the "gateway of a commerce the extent, variety and importance of which can scarcely be over-"estimated."

"The claims of the Port Dover and Lake Huron Railway upon our capitalists are such "that, with an intelligent view to the future of the city, cannot be ignored. Three-fifths of "the amount necessary to build and equip the road have already been raised without putting "a dollar of incumbrance on the investment of $600,000. The security of the bonds, it "would seem, looking to the flattering prospects of the road, are beyond question. But the "value of the investment to us, 'as a community,' cannot be estimated. * * * "

Origin of the Present Company—Historical.

In the year 1872 a charter was obtained from the Ontario Legislature, and a Company formed under the title of the "Port Dover and Lake Huron Railway Company" to build a railway from Port Dover to Woodstock, with power to extend the same to the Town of Stratford. The capital stock of the Company was fixed at $250,000—$100,000 of which was subscribed by nearly 600 persons living along the route: thus assuring a continuous interest in the prosperity of the scheme. Ten per cent. of the subscribed stock was paid previous to the election of a permanent Board of Directors, which took place at Woodstock, December 16th, 1872. Powers are given in the charter to acquire the old road bed of the Wooodstook and Lake Erie Railway and Harbour Company, without assuming any of the former Company's liabilities. The value of the work done on the old road is estimated to be worth at present prices for such work not less than $175,000, including the maps and profiles of the former Company. On account of the heavy responsibility resting on the various municipalities in regard to the debt incurred in the construction of the old road, the present Company laboured long and severely under disadvantages with regard to obtaining municipal aid, and only on the relief afforded by the Government, by the Act of 1873, were the obstructions removed and the necessary aid given. Nearly all the municipalities have granted aid, by way of bonus, and the Government passed an Order in Council for a subsidy of $2,000 per mile on the completion of the grading and delivery of the iron. The total amount of bonuses and Government grant at present reach the sum of $329,000, given as follow:

County of Perth	$40,000
Town of Stratford	30,000
Town of Woodstock	25,000
East Oxford and Woodstock	25,000
North Norwich and Woodstock	50,000
South Norwich	10,000
Woodhouse	15,000
Town of Simcoe	10,000
Government of Ontario	124,000
Total in bonuses	$329,000
Stock subscribed	100,000
Total, exclusive of bonds	$429,000

By the amended charter of the Company, bonds on the road may be issued to any amount not exceeding $10,000 per mile. The cost of construction of the line, including the laying of track, plant, rolling stock, stations, purchase of right of way and telegraph accommodations, will not exceed $14,000 per mile; thus bonds will only need to be issued for the comparatively small sum of about $7,000 per mile, besides the attendant expenses of negoti

ating bonds and debentures, and discount on the same. It is not our wish to dwell longer on the special advantages of this route and the general security offered to bondholders, which, from the brief statement herein given, together with the evidence suggested by a glance at the map, must be apparent to anyone giving attention to such matters,

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Topographical Sketches.

With no intention of presenting an elaborate statement of the wealth and resources of the country traversed by this road, yet it is due to the scheme to advert briefly to some of its principle features: beginning at

Port Dover.

This is the starting point of the road, and the port that gives the water communication with Chicago, Thunder Bay, and all intermediate ports in the West. Montreal, via the Welland Canal, and all other ports on that route. New York, via the Erie Canal, and also all the ports on the south shore of Lake Erie. The Harbour at Port Dover has recently become the property of this Company at a nominal cost. The village is situated at the mouth of the River Lynn, presenting a delightful aspect, and will probably become a summer resort for visitors. For want of railway facilities its growth has been slow. It contains about 1,100 inhabitants. Being a port of entry, upon the completion of the road a large traffic in coal and other imports must spring up which will greatly increase the harbour dues, and render them a fruitful source of revenue to the Company. Erie City, in Pennsylvania, which is nearly opposite Port Dover, and within a few hours' sail of it, is now become a large grain and produce market. The storage capacity of its elevators is 440,000 bushels, with a transfer capacity of 120,000 per day. With close trade relations between Canada and the United States, and with the facilities afforded by this road to foster an exchange of commodities with Erie City, Port Dover must become a place of considerable importance, and its future growth be exceedingly rapid.

Township of Woodhouse.

This fine old township, lying on the North Shore of Lake Erie, was the earliest settled in the Peninsula. It has the terminus of the Port Dover and Lake Huron Railway at its Harbour of Dover, which is sheltered by Long Point, stretching out nearly midway into Lake Erie. Three hours' sailing from Erie brings vessels under the lee of Long Point, and the Harbour can be made in all weathers. There is a first class Lighthouse and Storm Signal for guidance of vessels. During violent gales on the lake, frequently one hundred or more vessels are seen taking refuge under the Point, and at times are detained for days together. For production of fruits of all kinds, and grains, especially wheat and barley, Woodhouse is not surpassed by any section; and although a small township, in wealth, population and enterprise, it ranks high with larger and newer townships. The two streams Patterson and Black Creeks - unite near the middle of its southern border, and form the River Lynn. The river is spanned by a swing bridge, and is navigable nearly a mile from its mouth, where, protected by two piers jutting out into the lake, it forms the commodious Harbour of Dover. The lesser Lynn, or Patterson Creek, runs from the County Town of Simcoe through the centre of the township, and is skirted and crossed by the Port Dover and Lake Huron Railway. It has numerous mills and manufactories upon it. Commencing at Simcoe, there are six flouring mills, three saw mills, two woollen factories, one brewery and one distillery. There are more water privileges of the first class to be utilized. The township is at present without railroad facilities, and when completed, the Port Dover and Lake Huron Railway must be the means of moving the products of its fields and factories, as well as those of surrounding townships.

Simcoe.

Is the County Town of Norfolk, situated at or near the intersection of the Townships of Windham, Charlotte and Townsend—distant from Port Dover eight miles. It has a popula-

tion of 2,000. The public buildings are handsome and substantial. There are also some fine blocks of stores and neat private residences. The want of railway facilities has been long felt, and, no doubt, that when acquired to the extent proposed by this road, Simcoe will no longer remain inactive and unprogressive, but assume the business aspect due to its position as the county town of the fine old County of Norfolk, and the centre of a large community that must draw its supplies therefrom.

Township of Windham.

This is a very large township, comprising not less than 66,000 acres of land, and has been hitherto noted for its large supplies of lumber. It still possesses more timber than any other township along the route. Brandy Creek is the name of a small village on the main road, between the village of Delhi and Scotland, and is the only village in the township near which the road runs.

Township of South Norwich.

This township is comprised of 35,25[illegible] acres of land, and contains several thriving villages. A large amount of water power may be obtained for manufacturing purposes on a fine stream known as Otter Creek. The resources of the township are large, and its inhabitants are particularly energetic.

Hawtrey

Is situated at the intersection formed by crossing the Canada Southern Railway, and as each road will have a station there, it must eventually become a centre of trade. The next station is at

Otterville,

Situated near the Otter Creek. It possesses great advantages for the encouragement of manufactures. Its water privileges are already utilized to some extent, but could be indefinitely enlarged. It is the largest village in the township, and possesses a number of good stores and business firms of various descriptions. It has three steam saw mills, hitherto turning out 3,000,000 feet of lumber per annum, and three shingle mills, manufacturing 2½ million of shingles yearly, besides a match factory, two furniture factories, and other establishments also run by steam. Large quantities of cheese are made in the township, and much fruit grown, which would naturally be shipped from this station.

North Norwich.

This township contains 34,062 acres of land, which has been long noted for its great fertility and fruit-producing abilities. It is now as pre eminent for its cheese factories and the large production of that article for export. Its supplies of all kinds of farm produce, grain and live stock are immense—showing the extraordinary fertility of the soil. This township has long suffered the inconvenience of isolation from ready markets, and its loss in fruit and other perishable articles the last twenty years would have built a branch line to Woodstock. The progression of the township, as well as that of South Norwich, has been severely retarded for want of the accommodation which it is now proposed to give in the construction of this road.

Norwich

Is the principal village in the township, and is situated about 27 miles from Port Dover, 13 from Woodstock, and 25 from Brantford. It will be one of the best stations on the line: situated in the centre of a rich agricultural section, and being distant from any important town, it must become a place of considerable trade. There are now in full operation a grist mill, shingle and stave factories, planing mill, sash and door factories, biscuit and confectionery establishment, all operated by steam power; also a great variety of stores, and ordinary trades and callings usually found in villages of its size; also a branch of the Royal Canadian Bank

Burgessville.

The next station is at Burgessville, a small village near the boundary line of North Norwich and East Oxford, containing about 200 inhabitants. Large orchards and productive farms surround the village, and no doubt but the advantages of a station will be fully appreciated by farmers in the vicinity, and shippers of fruit, cheese and live stock more particularly.

East Oxford.

This township lies between North Norwich and the Town of Woodstock, and the length of the road between the points named is about nine miles. It is intended by the Company to provide for freight and passenger accommodation about four and a half miles from Woodstock. East Oxford is second to no township of its size in Ontario for fertility of soil and handsome ridges of land. Its inhabitants are prosperous, and remarkable as careful cultivators of the soil and attentive stock raisers of improved breeds. Woodstock is its chief market, and being contiguous thereto, it will reap great advantages from the competition afforded by three railways meeting at that point, and the better market produced for perishable articles.

Woodstock

Is 40 miles from Port Dover and 22 from Stratford, thus making the length of the road under the control of the charter granted to this Company 62 miles. It is the headquarters of the Company, having its offices located there, and its workshops will be erected there also. Woodstock is the County Town of Oxford, which is one of the largest, wealthiest, and most thickly populated Counties in Ontario. It is beautifully located between the forks or junction formed by the River Thames and Cedar Creek. The County of Oxford was the first municipality that encouraged the construction of the G. W. Railway by taking $100,000 in stock, and since the building of that railway the price of farms has trebled. Woodstock has been always considered slow in its growth, but at the same time the progess has been substantial and sure. In the year 1854 the total assessment of the town amounted to $41,293; this year it will exceed $1,000,000: thus in twenty years it has doubled in value nearly five times. All this has been accomplished simply from force of business by the demands of the wealthy section in which it is located, rather than in the inherent energy or enterprise of the business men within. The receipts at the G. W. Station for the year 1873, for passenger, freight and general traffic, amounted to the handsome sum of $80,000, yet no place has suffered more of late for want of railway competition than Woodstock. Its grain and produce market was noted, for many years after the opening of the G. W. Railway, for its greatness, but on account of the large "through business" of that road, absorbing its almost entire capacity, accommodation has been withheld; consequently shippers could not give as high prices for grain as those places having competing lines—hence the market here has lost its once favoured position. This may account, partly at least, for the liberality of the town in promoting, by such large bonuses, the construction of more railways. The present population of the town is about five thousand, and would now be very much larger if houses could have been obtained. Strangers, living on their means, admire it for its pleasant, clean and healthy appearance, and very many take up their abode here during the summer season. A large number, also, are attracted here on account of the superior educational privileges afforded by its schools, and more particularly the Canadian Literary Institute. The latter is a Literary Institution under the control of the Baptist denomination, and in which they have a theological department. The number of students of both sexes attending the school is now about 200, and the yearly expenditure $30,000. The grounds are beautifully located, and the buildings fine substantial structures, valued at $60,000. It is confidently expected that the Western Normal School will also be located here—and it may be safely asserted that no more healthy or central position can be chosen.

No town of its size surpasses Woodstock in the magnificence and value of some of its retail stores, and none stand higher with wholesale men, than do the merchants and business men of this place. The most important branch of manufactures carried on is that of furniture and other wooden wares. There are two establishments in which a large number of

hands are engaged making all kinds of furniture, and two where every description of turning in wood is done—one making a specialty of cheese hoops and boxes, and wooden bowls. All these establishments have a saw-mill attached at which they make each about half a million feet of lumber per annum. There are barrel factories, a woollen mill, oat and flour mills, foundries and various builders' establishments also run by steam. The town has lately voted the sum of $8,000 as a bonus for the introduction of a machine shop for the manufacture of boilers, engines and mill-gearing, which, with other enterprises, are expected to enlarge the business capacity of the town very much.

The North Riding of Oxford Agricultural Society holds its annual exhibitions here, at which immense numbers of visitors always attend.

The Driving Park Association have made a mile track located within the corporation, which is said to be one of the best in the Dominion.

East Zorra.

Proceeding northward the road crosses the River Thames and enters the Township of East Zorra, running direct north 13 miles to the Village of Tavistock, on the boundary line between this township and South Easthope. East Zorra is one of the best townships in the Province, being rich in soil, of a rolling or undulating surface, well watered and admirably adapted for grazing or dairying purposes to which of late it is very much applied, returning large dividends to the wealthy and progressive yeomanry, who chiefly own the land they cultivate.

Strathallan

Is a small village in the centre of the township, possessing few, if any, particular advantages, and in the absence of a grain market very little business is done there.

Tavistock,

Situated partly in East Zorra and partly in South Easthope, is a German village, and does a very large trade. It is full of business enterprise, having a very fine grist mill, woollen factory, flax mills, stave and barrel factories, and various stores, &c.

South Easthope.

This township extends from the last named place to Stratford, a distance of eight miles. It contains 24,883 acres, and is well adapted for grain, grazing or dairying purposes.

Stratford,

The County Town of Perth, is situated on the River Avon, and is distant from St. Mary's 22 miles, Mitchell the same, Listowel 32, and Millverton 16 miles. It is the centre of a large and fertile country, increasing rapidly in wealth and population, and to supply the demands corresponding avenues of trade and commerce are being as rapidly developed in the county town. The establishment of the Grand Trunk workshops at Stratford has done more to give it a business impetus than any other cause; employing a very large number of workmen, and paying on an average $1,000 per day in wages alone. The population is now between six and seven thousand. Property is increasing rapidly in price, and houses are hard to get at very high rentals.

Considerable water power is supplied by the river on which it is situated, and will yet be more fully utilized.

The manufactories consist of flour and oatmeal mills, saw mills, planing, sash and door factories, woollen mills, flax mills, &c., each doing a large and thriving business. Then there are carriage and implement factories, stave and cooper works, soap and candle factories, tanneries, pump factories, brick yards, and various other industries calculated to ensure constant employment to large numbers of operatives. In stores, hotels, public buildings, churches and private residences, it is fast approaching a city like appearance; in fact, the future of Stratford as a railway centre will undoubtedly give it prominence as a manufacturing centre also. In addition to the two lines of the Grand Trunk and the Port Dover and Lake Huron centering there, it is expected that a branch of the Huron and Quebec Railway will pass through Stratford, and probably erect branch workshops therein. Should this take place, another and more direct route will be afforded to Montreal and places eastward.

The Board of Trade Report for Stratford for the year 1872 shows the value of produce, live stock, &c., sent from that place during the year ending 31st December, to have reached

the sum of $714,126, and the amount as copied from the American Consul's books for the year ending 30th September, 1873, $1,048,848. The imports from the United States for the same period amount to no less than $166,883.

ENGINEER'S STATEMENT.

Woodstock, April 30th, 1874.

To the Directors of the Port Dover and Lake Huron Railway Company.

GENTLEMEN,—In accordance with your instructions, I have made thorough surveys for the Port Dover and Lake Huron Railway, between the Village of Port Dover and the Town of Stratford. I find that by using the road bed of the old "Woodstock and Lake Erie Railway and Harbour Company"—which is in excellent condition—from Port Dover to Woodstock, and by adopting the most favourable of the routes from Woodstock to Stratford, the road can be constructed and equipped, in a substantial and workmanlike manner, for $14,000 per mile. I beg to refer you to the detailed statement herewith submitted for particulars.

A. D. WRIGHT,
Chief Engineer.

DEBENTURES.

		Payable.	Interest.	Payable.
County of Perth	$40,000	20 years.	6 per c.	Half-yearly
County of Oxford. Woodstock and N. Norwich.....	50,000	20 an. instalments.	"	"
County of Oxford. Woodstock and East Oxford.....	25,000	"	"	"
Town of Stratford	30,000	20 years.	"	"
Town of Woodstock.....	25,000	"	"	"
Town of Simcoe.....	10,000	"	"	"
Township of Woodhouse...	15,000	20 an. instalments.	"	Yearly.
Township of S. Norwich...	10,000	"	"	"

The by-laws under which the above Debentures are issued have been legalized and confirmed by the Ontario Legislature at its last session.

BONDS.

Clause 25 of the amended Charter provides:

"That the Directors of the said Company, after the sanction of the shareholders shall have been first obtained, at any special general meeting to be called from time to time for such purpose, but limited to the terms of this Act, shall have power to issue bonds made and signed by the President or Vice-President of the said Company, and countersigned by the Secretary and Treasurer, and under the seal of the said Company, for the purpose of raising money for prosecuting the said undertaking; and such bonds shall, without registration or formal conveyance, be taken and considered to be the first and preferential claims and charges upon the undertaking, and the property of the Company, real and personal, and then existing, and at any time thereafter acquired; and each holder of the said bonds shall be deemed to be a mortgagee and an incumbrancer *pro rata* with all the other holders thereof, upon the undertaking and the property of the Company as aforesaid: Provided, however, such issue of bonds shall not exceed ten thousand dollars per mile for each mile in length of the said proposed Railway: And provided also, further, that in the event at any time of the interest upon the said bonds remaining unpaid and owing, then at the next ensuing general annual meeting of the said Company, all holders of bonds shall have and possess the same rights and privileges and qualifications for directors and for voting as are attached to shareholders: Provided that the bonds and any transfers thereof shall have been first registered in the same manner as is provided for the registration of shares. All such bonds and coupons, and interest warrants thereon, may be made payable to bearer, and so made shall be transferable by delivery, and the holder may sue thereon at law in his own name."

At a special general meeting of shareholders, held in the Town Hall, Woodstock, December 16, 1873, a resolution was passed authorizing the issuing of bonds bearing seven per cent. interest, payable half-yearly.

RETURNS MADE TO THE ENUMERATORS FOR THE CENSUS OF 1871,

For those Townships through which this Road passes.

	Horses.	Cattle.	Sheep.	Swine.	Wool.	Butter.	Cheese.	Wheat.	Barley.	Oats.	Peas.	Buck-wheat.	Corn.	Maple Sugar.	Apples.
					Lbs.	Lbs.	Lbs.							Lbs.	Bushels.
Woodhouse ..	1,300	2,900	4,800	2,400	18,700	107,600	3,700	37,900	50,500	49,500	9,000	4,700	27,700	4,400	37,400
Windham . .	1,700	8,000	5,200	3,600	22,400	146,200	2,300	58,800	27,400	70,900	17,000	8,700	53,600	8,400	43,200
Norwich, S. . .	1,000	3,300	2,200	2,000	9,000	83,400	37,800	20,800	9,800	45,500	14,200	1,300	18,000	16,500	22,100
Norwich, N. ..	1,400	5,000	3,200	2,300	14,500	104,900	110,900	26,800	28,100	75,400	19,100	900	21,500	78,500	71,500
Oxford, E.	1,400	3,800	5,000	2,200	22,100	103,800	30,000	45,200	45,200	61,900	30,400	400	7,800	48,300	36 900
Zorra, E.	2,200	6,800	6,100	3,500	26,300	143,400	8,900	63,500	34,800	101,800	49,500	200	2,300	36,200	43,100
Easthope, S.	900	2,400	2,300	1,600	9,200	59,300	16,700	36,400	9,400	49,200	19,100	400	100	2,100	7,700
	9,900	32,200	28,800	17,600	122,200	748,600	210,300	289,400	205,200	454,200	158,300	16,600	131,000	194,400	261,900

Copy of an Order in Council approved by His Honor the Lieutenant-Governor the 26th day of October, A.D. 1875.

The Committee of Council have had under consideration the Report of the Honourable the Commissioner of Public Works, dated the 21st October, 1875, submitting for consideration the report of Thomas N. Molesworth, Esquire, on the works in construction of that portion of the Port Dover and Lake Huron Railway extending from the water's edge at Port Dover to the northerly rail of the northerly track of the Great Western Railway at the Town of Woodstock (40.^{331} miles).

The Commissioner reports that in his opinion the Port Dover and Lake Huron Railway Company has completed thirty miles of the said portion of its road within the meaning of the Act in aid of Railways.

The Committee have also had under consideration the Report of the Hon. the Treasurer, of the same date, wherein he states that having regard to the Report of the Hon. the Commissioner and to the Order in Council of the 24th March, 1873, duly ratified by resolution of the Legislative Assembly, the Port Dover and Lake Huron Railway Company is entitled to receive payment out of the Railway funds at the rate of two thousand dollars per mile for the portion of thirty miles mentioned in the said Report of the Commissioner, such sum amounting to the sum of sixty thousand dollars, payment of which he recommends.

The Committee advise that a warrant be issued in favour of the said Company for the sum of sixty thousand dollars.

Certified,
J. G. Scott,
Clerk of the Executive Council, Ontario.

The Honourable the Provincial Secretary.
27th October, 1875.

(Copy.)

To His Excellency the Lieutenant-Governor and Council of Ontario.

May it please your Excellency and Honourable Council,

The Petition of the undersigned,

Humbly Sheweth:

That your Petitioners have proceeded with the construction of the Port Dover and Lake Huron Railway during the last two years, and have so far succeeded in building and equipping the same that it is intended to open that portion between Port Dover and Woodstock (40½ miles) for regular traffic almost immediately, and the remaining portion to Stratford, (22 miles) if possible in January next.

While your Petitioners have succeeded thus far, yet they regret to inform your Excellency and Honourable Council that financially they are not in a position to fully complete and equip the road without seriously embarrassing the enterprize and entailing a debt that must eventually cripple its usefulness to the public.

In preparing estimates and submitting a prospectus of the scheme, your Petitioners figured so closely that no margin was left for contingencies, and the severe financial crisis that has so materially affected all the public enterprizes has been particularly severe on one so thoroughly dependent on the public as this.

In addition to the general depression and difficulty to negotiate advances we failed to find a market for bonds in the usual way, and the only way left open was to limit the issue of first mortgage bonds to $4,000 per mile and endeavour to effect a local sale. This was done, and we have succeeded in disposing of $150,000 worth to municipalities and private individuals along the line at 90 cents in the dollar, leaving $100,000 still unsold.

Our available resources consist of the following sums, viz.: Stock $100,000; Munici-

pal bonuses $200,000; Government subsidy at $2,000 per mile $125,000; Proceeds of bond (if all are sold at 90 cents in the dollar) $235,000—making a total of $660,000.

We have already expended $530,000, and to fully complete and equip the road with a reasonable amount of rolling stock $237,000 more will be required, making a total sum of $767,000, or a little over $12,000 per mile leaving a deficiency unprovided for of $117,000.

Among the local or immediate causes of the discrepancy between the original estimates and resources are: (1) a reduction of $15,000 in the amount of municipal bonuses voted. (2) additional interest and expenses caused by delay in procuring the debentures granted by some of the municipalities; (3) a large additional outlay in consequence of being compelled to excavate under the Air Line Railway instead of crossing on the level, as first intended and naturally indicated by the position of the land at said crossing (several weeks' delay of the work at this point at the best season of the year was a serious loss to this Company): (4) the right of way cost very much more than estimated for.

It will be noticed that no foreign capital has been employed thus far, and probably cannot be obtained under any circumstances, and our local resources from municipal or private sources are exhausted, and the apparent necessity of making this a connecting link or feeder to the Great Trunk lines, and a convenience to a very large territory not now served by a cross road. Therefore your Petitioners humbly pray that your Excellency and Honourable Council will favourably consider our position and financial circumstances, and grant a further subsidy of $1,500 per mile to place this Company in a position equal to similar enterprizes in this Province.

And your Petitioners, as in duty bound, will ever pray, &c.

Signed in behalf of the Company,

GILBERT MOORE,
President

R. W. SAWTELL,
Secretary.

(Copy.)

To the Honourable the Lieutenant-Governor of the Province of Ontario, and to the Legislative Assembly of the Province of Ontario, in Parliament assembled.

The Petition of the Warden and Members of the Municipal Council of the County of Oxford, in Council assembled,

HUMBLY SHEWETH:

1st. That the Port Dover and Lake Huron Railway is now completed from Port Dover to the Town of Woodstock.

2nd. That the said Railway is now being pushed forward as fast as is possible commensurate with the means of the Company; and the Company are desirous of completing their whole line of road to Stratford with as little delay as possible.

3rd. That except the Government subsidy of two thousand dollars per mile, the road has been thus far built by means of local capital and aid from the municipalities along the line.

4th. That the finances of the said Company have been so economically managed, and the road has been so far constructed with so strict a regard to economy, that your Petitioners believe that when completed it will be the most cheaply constructed road in the Province.

5th. That the issue of first mortgage bonds is limited to four thousand dollars per mile by a resolution of the shareholders.

6th. That with a further subsidy from the Government of one thousand five hundred dollars per mile, the road can be completely finished and equipped.

7th. That your petitioners believe the Company have made every exertion to complete said road, but are unable to do so without further aid.

8th. This has arisen on account of the stringency in the money market, by reason whereof the said Company are unable to sell the balance of the said first mortgage bonds.

9th. That the bonds that have been disposed of have been sold to local municipalities and individuals along the line of road.

10th. That the said Railway passes through one of the finest agricultural sections of this Province, and is a great local necessity as is evidenced by the fact of the local pecuniary support it has received.

Your Petitioners therefore pray that your Honourable House will be pleased to grant a further subsidy to the said Railway Company to the extent of one thousand five hundred dollars per mile.

And your Petitioners, as in duty bound, will ever pray,

[P.S.] (Signed) G. H. Cook,
Warden.

County Council Chambers,
Woodstock, 16th December, 1875.

(Copy.)

Simcoe, 22nd December, 1875.

Dear Sir,—Herewith I have the honour to transmit you a petition from the County Council of Norfolk, praying your Government to grant the Port Dover and Lake Huron Railway further aid by way of bonus to the extent of fifteen hundred dollars per mile.

As the work is one of great importance to this section of country, I trust your Government will feel justified in granting the aid asked.

I am, dear Sir,
Your obedient servant,
(Signed) William Wallace.

Honourable Oliver Mowat,
Toronto.

(Copy.)

To His Honor the Lieutenant-Governor of the Province of Ontario, and the Legislative Assembly of the said Province, in Parliament assembled.

The Petition of the Warden and Council of the Corporation of the County of Norfolk, in Council assembled,

Humbly Sheweth:

That the Port Dover and Lake Huron Railway is now completed from Port Dover to the Town of Woodstock.

That the said Railway is now being pushed forward as fast as possible commensurate with the means of the Company, and the Company are desirous of completing their whole line of road to Stratford with as little delay as possible.

That, with the exception of the Government subsidy of $2,000 per mile, the road has been thus far built by means of local capital and aid from municipalities along the line.

That the finances of the said Company have been so economically managed, and the road has been so far constructed with such strict regard to economy, that your Petitioners believe that when completed it will be the most cheaply constructed road in this Province.

That the issue of the first mortgage bonds is limited to $1,000 per mile, by a resolution of the shareholders: That with a further subsidy from the Government of $1,500 per mile, the road can be completely finished and equipped.

That your Petitioners believe the Company have made every exertion to complete the said road, but are unable to do so without further aid.

That this has arisen on account of the stringency of the money market, by reason whereof the bonds of the Company could not be disposed of in the usual way, and the $150,000 sold were taken by local municipalities and private individuals along the line, and the balance of $100,000 are still unsold.

That the said Railway passes through one of the finest agricultural sections of this Province, and is a great local necessity; as is evidenced by the fact of the local pecuniary support it has received.

Your Petitioners therefore pray that your Honourable House will be pleased to grant a further subsidy to the said Port Dover and Lake Huron Railway to the extent of $1,500 per mile.

And your Petitioners, as in duty bound, will ever pray.

(P.S.)

(Signed) JACOB SEVEREEN,
Warden.

Simcoe, 18th December, 1875.

SUPPLEMENTARY RETURN

Of Correspondence and Papers relating to the "Port Dover and Lake Huron Railway," subsequent to that printed in Sessional Papers, 21st December, 1875.

By Command,

S. C. WOOD,
Secretary.

Provincial Secretary's Office,
Toronto, January 21st, 1876.

SCHEDULE OF CORRESPONDENCE AND PAPERS RELATING TO THE "PORT DOVER AND LAKE HURON RAILWAY."

Petition of the Company, accompanied by a Financial Statement.

Port Dover and Lake Huron Railway.

SUPPLEMENTARY MEMORANDUM.

To His Excellency the Lieutenant-Governor.

Supplementary to the Petition already presented, asking additional aid to the Port Dover and Lake Huron Railway, the undersigned desire to submit the following for the further information of yourself, the Government and Legislature.

1. Statements marked "A" and "B," herewith appended, showing the amount of money yet required to complete, ready for traffic, the southern and northern divisions of the Port Dover and Lake Huron Railway respectively. The figures therein are substantially the same as those already laid before you. From them you will observe that a further sum of $104,600 is required to complete the southern division of the road, and $84,800 for the northern division, over and above $44,500 due upon their own, for which the Government subsidy for about that amount has been assigned.

2. The only assets now left the Company to meet the above deficiency are $100,000 of unsold bonds, which, owing to the severe and continual monetary stringency now prevailing, it is now found impossible to negotiate upon anything like so favourable rates as obtained for those already disposed of. Under these circumstances, the Company would have some time since

been compelled to suspend the work of construction upon the road, but for the fact that they were encouraged with the belief that the Government and Legislature, following out a liberal railway policy towards *bona fide* enterprises whose construction can be satisfactorily assured, would grant us such relief as would be justified by the circumstances, and in some measure lighten the responsibilities necessarily incurred in bringing the road to its present condition, and providing for its final completion.

3. The small amount of bonds per mile to which the Company have limited themselves ($4,000), and the manner of their disposal, are both circumstances which we submit should meet the approval and encouragement of the Legislature. No Railway in Canada has, to our knowledge, before this tried the experiment of selling its bonds solely among Canadian capitalists; yet this has been done, and successfully thus far, by your Petitioners. The purchasers were chiefly well-to-do farmers and business men along the line of route, and, in two instances, municipalities whose faith in the utility and success of the undertaking justified them in buying and paying therefor ninety cents on the dollar for the Company's bonds.

4. In spite, however, of the economy practised in every detail by the management, and notwithstanding every effort upon their own part and that of the shareholders generally, as also of the several municipalities along the line of route, there is yet the deficiency above named. Upon the principle that "those who have helped themselves deserved to be helped," this company is peculiarly entitled to the additional aid asked for. The list of stockholders numbers about *six hundred*, the amount of stock subscribed $100,000, fully nine-tenths of which have been paid up—more, we believe, than that of any other Canadian company. $150,000 of the bonds have been purchased, principally by stockholders, and $200,000 contributed in municipal bonuses, thus making an aggregate of local support, private and public, hitherto unknown in the history of similar undertakings.

5. The resources of the company being now exhausted, the road must, sooner or later, fall into the hands or under the control of one or other of the existing large railway corporations, unless additional assistance is forthcoming from the Legislature. Such a contingency would defeat one of the prime objects of its originators and the municipalities that have contributed bonuses—viz., increased railway competition for traffic, and consequently a lowering of freight rates. Your Petitioners believe that the Government and Legislature of this Province, in inaugurating the railway policy of the past four years, had two principal objects in view:

(1) The opening up and developing of the newer sections of the Province hitherto without railway facilities; and

(2) The relief of the older districts of the Province from the oppressive and discriminating freight charges which have been imposed upon them by the great trunk lines, controlled in the interest of foreign capitalists, and with but slight regard for those of the Province or Dominion, from whose treasuries they have each, in some form or another, received large subsidies. Both the objects above named would, we submit, be met by the completion of the Port Dover and Lake Huron Railway; its connection with the Stratford and Lake Huron Railway at Stratford opens up a ready means of intercommunication between the older Central and Southern Counties of the Western Peninsula and the new and comparatively undeveloped sections between Stratford and Lake Huron. But the great utility of this undertaking lies in the more than ordinary traffic competition between other rail ways which its completion will ensure, intersecting as it will all the lines running East and West in the Western Peninsula. The Grand Trunk, Buffalo and Lake Huron, the proposed Credit Valley, the Air Line, Great Western, Brantford and Port Burwell, and Canada Southern—it brings each and all of them into direct competition at every point of intersection. The Toronto purchaser, for instance, at Woodstock or Stratford, would, by means of the Port Dover and Lake Huron Railway, have the choice of shipment by either the Grand Trunk, Great Western or Credit Valley. The advantages thus afforded will therefore be not merely local but Provincial, and constitute another reason why the scheme should not now be abandoned as an independent line.

And your Petitioners, as in duty bound, will ever pray.

Signed on behalf of the Company,

H. PARKER,
Vice-President.

STATEMENT A,

Of Amount yet required to complete the Port Dover and Lake Huron Railway, south of Woodstock.

Contractors, 10 per cent.	$20,000 00
Switches, 7 " "	12,000 00
Turntables	3,000 00
Fences and Gates incomplete	5,000 00
Farm Crossings	3,000 00
Water Tanks	4,000 00
Engine Houses	3,000 00
Section Houses (8)	4,800 00
Semaphore and Signals	1,800 00
Telegraph Lines, 40 miles, $150	6,000 00
Additional Rolling Stock	36,000 00
To complete ballasting	12,000 00
Total	$104,600 00

STATEMENT B,

For the Northern Division, yet required.

Right of Way and Gravel Pits	$18,000 00
Fencing	8,000 00
Bridging and Guards	4,000 00
Farm Crossings and roads do	3,000 00
Track-laying	1,000 00
Ballasting	12,600 00
Engine House	1,500 00
Section Houses	2,400 00
Telegraph Line, 22 miles	3,300 00
Rolling Stock	15,000 00
Station and Freight House	5,200 00
Additional Iron for Switches	5,000 00
Semaphore and Signals	1,000 00
Crossing Grand Trunk Railway and Buffalo and Lake Huron Railway	1,800 00
Tanks and Turntables	3,000 00
	$84,800 00

RETURN

Of Correspondence and Papers relating to the "Port Stanley, Strathroy and Port Franks Railway."

By Command.

S. C. WOOD,
Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, December 15th, 1875.

SCHEDULE OF CORRESPONDENCE AND PAPERS RELATING TO THE "PORT STANLEY, STRATHROY AND PORT FRANKS RAILWAY."

PETITION of the Port Stanley, Strathroy and Port Franks Railway Company, praying for amendments to their charter.

To His Excellency the Honourable DONALD ALEXANDER MACDONALD, *Lieutenant-Governor of the Province of Ontario.*

The Petition of the Port Stanley, Strathroy and Port Franks Railway Company, and of certain of the Provisional Directors thereof,

HUMBLY SHEWETH:

That your petitioners were incorporated by an Act of the Province of Ontario passed in the thirty-eighth year of Her Majesty's reign, intituled "An Act to incorporate the Port Stanley, Strathroy and Port Franks Railway Company."

That the Provisional Directors in the said Act named, duly met and appointed J. B. Cummins and S. G. Chamberlain, petitioners hereto, respectively the Provisional President and Secretary of the said Company, and that no other Directors or Officers of the Company have been appointed.

That your petitioners are desirous of having their said Act of incorporation amended by giving to the said Company power to build their proposed line of railway in sections, and that the corporate powers of the Company should not be affected by a failure to complete other sections, and that any bonuses which may be given by Municipalities and by any Acts of the Company may be valid notwithstanding, and that the subscription of stock may be apportioned to the sections, and for any other amendments consequent on or desirable by reason of these amendments;

Also to reduce the number of Provisional Directors, and fix the number requisite to a quorum, or that a new Act of incorporation may be passed giving effect to the desires of your petitioners.

Your petitioners would therefore pray—

That your Excellency would be pleased to assent to an Act amending, extending or granting the powers hereinbefore referred to, and all other powers which may be necessary to give effect to the desires of your petitioners.

And your petitioners will ever pray.

(Signed) S. G. CHAMBERLAIN, *Secretary.* { L.S. }

RETURN

Of Correspondence and Papers relating to the "Port Whitby and Port Perry Railway," subsequent to that printed in Sessional Papers, 1873.

By Command,

S. C. WOOD,

Secretary.

Provincial Secretary's Office,
Toronto, December 21st, 1875.

SCHEDULE OF CORRESPONDENCE AND PAPERS RELATING TO THE "PORT WHITBY AND PORT PERRY RAILWAY."

1873.

May 24th.—Letter from the Secretary of the Company to the Honourable the Provincial Secretary.

1874.

July 17th.—Memo.—Map showing the Company's proposed extension to Parry Sound and branches.

Oct. 20th.—Memo.—Proposed plan of extension and Resolution.

1875.

June 8th.—Letter from the Managing Director to the Honourable the Attorney-General.

Oct. 8th.—Letter from the Managing Director to the Honourable the Attorney-General, enclosing map showing the proposed extension.

Nov. 20th.—Memo. of Capital Account.

" Memo. showing increase of Revenue from opening of Road.

" Memo.—Estimate for the construction and equipment of the proposed extension.

Nov. 22nd.—Letter from the solicitors of the Company to the Honourable the Provincial Secretary enclosing petition of the Company praying for Government aid.

Dec. 2nd.—Letter from the County Clerk, Lindsay, enclosing petition of the County Council of Victoria praying for aid for the Victoria and Whitby and Port Perry Roads.

THE PORT WHITBY AND PORT PERRY RAILWAY, CANADA,
Whitby, May 24th, 1873.

To the Honourable T. B PARDEE,
Provincial Secretary, Toronto.

SIR,—On behalf of the Port Whitby and Port Perry Railway Company, I beg to apply for the aid granted to this Company last Session under the Act intituled "an Act in Aid of Railways." I would request you to lay this matter before the Executive at your earliest convenience.

I have the honour to be
Your obedient servant,
(Signed) J. MARSH,
Secretary & Treasurer.

WHITBY AND PORT PERRY EXTENSION RAILWAY.

Proposed Plan of Extension.

Resolution moved by Hon. T. N. Gibbs, and seconded by A. Farewell, Esq., M.P.P.

A meeting was held at the Railway Company's offices, Whitby, on Friday, October 30th, pursuant to circular, of which the following is a copy:

OFFICE OF THE W. & P. P. EXTENSION RAILWAY,
WHITBY, OCTOBER 20th, 1874.

The Proprietors of the Whitby & Port Perry Extension Railway having obtained, at the last Session of the Ontario Legislature, powers to extend from Port Perry to Port Sound and other places, it is deemed desirable at this time to call together the leading men of the different localities likely to be benefited by such extension. With the object of devising the best means of furthering the undertaking, and to canvas for bonuses in the various municipalities particularly interested in such extensions, you are particularly requested to attend a meeting, to be held at the Head Office of the Whitby and Port Perry Extension Railway Co., in Whitby, on Friday, the 30th. inst., at 10 o'clock, a. m.

There were present,—Messrs. James Austin, president of the Company; James Michie, vice-president; A. T. Fulton, James Holden, managing director; Chester Draper, W. Mulock, soliciter of the Company; George Laidlaw, president of the Victoria Railway Co., Hon. T. N. Gibbs, W. F. Cowan, Reeve of Oshawa; W. H. Gibbs, W. McGill, M.D., John Shier, Edward Major, John Dryden, Robt. Ross, J. J. Ross, secretary and superintenden; Christopher Johnson, A. Farewell, M.P.P. (who entered during the proceedings), and the representatives of the press.

On motion of Mr. Draper, seconded by Mr. Major, the president, Mr. Austin took the chair.

The chairman on taking his seat said he was sorry to see such athin attendance; he expected to see a good many more present. They were all aware of the object of the meeting. The circular calling it was to the following effect [read circular]. Itewas quite unnecessary for him to make any lengthy remarks, more than to observe that h believed the present to be the best time to carry out the extension. There were gentlemen present who understood all the details of the question better than he did, and Mr. Holden, the managing director, would be prepared to enter into full explanations. He may say that anything that himself and his colleagues could do to advance the extension or the project in any way would be done. Mr. Laidlaw, the President of the Victoria Road, was present, and would take the liberty of calling upon him for a few remarks.

Mr. Laidlaw said he came to hear what was said, and what might be proposed, and not as a speaker. He would like to know what municipalities were represented and what representattives were present from the county municipalities.

The chairman and Mr. Holden explained that circulars had been addressed to the various reeves and deputies, and to some of the leading men of the county, that the cir-

cular did not call for replies, and that the only replies received were three (which were read), from Mr. Brethour, Sunderland; Mr. John Sharpe, Cannington; and Mr. J. Bigelow, Reeve of Port Perry, all expressing themselves in favour of the object for which the meeting was called.

Mr. Holden (with the map spread before him) proceeded to give explanations. Brock, he believed, would be favourable to giving a bonus for the extension; he understood, so from Mr. Gillespie, the reeve of that township, whose absence he regretted. The warden of the county was very much in favour of the road, and so was the Deputy-reeve of Mara, and also the Reeve of Thorah. He had heard, and he believed that the Township of Georgiana would give a bonus, if the road were extended by way of Sunderland, and so would the Township of Scott. He had had a personal interview with Mr. Hickson of the Grand Trunk Railway, and he had had the fullest assurance from him that anything the Grand Trunk could do, they would do to assist the road by traffic arrangements. He looked upon the Whitby and Port Perry line as the nearest link to connect the Canadian Pacific with the Grand Trunk. The people of Belleville had been endeavouring to get the Grand Trunk to help them with their line, but their doing so in that direction would not help the trade west, which they desired to foster, and which would be assured by the Whitby and Port Perry Extension line. Mr. Holden next went into a comparison of distances, showing the advantages of the Whitby route from its geographical position. From Whitby to Gravenhurst the distance, he said, was 80 miles; from Gravenhurst to Toronto, by the Northern Railway, the distance was 116 miles, shewin an advantage of 36 miles in favour of the Whitby road over the Northern, to tide water. Referri. g to the immense amount of lumber north, he said there were certain parties who made as much as ninety-five million feet, and who were ready to haul themselves for a term of years to ship if by the Whitby road. It was, he said, calculated that there would be no less than three hundred million feet of lumber cut on the road to Parry Sound, and that this immense freight would be all available, if the road were extended. His plan of extension was to go from Port Perry to Sunderland, thence with a branch to Lindsay, to connect there with the Victoria Road—a distance of 16 miles. The Victoria Road, he said, was intended to run to the Upper Ottawa, and connect with the Canada Central, and it was well known that the Government intended to assist the Canada Central. From Whitby to Ottawa, by the Victoria Road—supposing it to be built to Lindsay— would be a saving of 60 miles [the speaker here traced on the map the distances, shewing that it would be 69 miles shorter than by the G. T. R., and dwelt on the importance of the Victoria road in connection with the Canada Central]. As regards the lumber trade, no road, he contended, could successfully compete with the Whitby and Port Perry line. It was the nearest point from water to water—the nearest point by water to Oswego, the American lumber market. It had an advantage of 21miles in its favour over the Midland. Engineers held that ten miles in a hundred drew the trade; but with 36 miles in their favour as against the Northern, and 21 miles over the Midland, it would be seen at once the great advantage which the Whitby and Port Perry Road had over its competitors. Mr. Holden next referred to the cost of constructing the road from Whitby to Port Perry, stating that it amounted in round numbers to $600,000. It might be said that it was too much. But such a road, with the 4ft. 8½in. gauge could scarcely be built for less than $25,000 a mile and of course, having the summit to encounter, it would cost more. From Port Perry to Washago there was a very easy route. He had an offer from a contractor of $12,000 a mile—fully to complete the road for the rolling stock, and including stations fencing, and everything. To Lindsay the cost would be about the same.

Hon. Mr. Gibbs—Where do you propose to cross the Nipissing?

Mr. Holden—At or near Sunderland. The Government, he took it for granted, would give more towards the road from Washago, north, than from Port Perry to Washago. Then as to the branch to Oshawa, he proposed that it should commence about the Dow Farm, and he believed that a road could be very easily built from that point to Oshawa harbour. The people north, he said, were very anxious to get communication by railway with Oshawa. There were mills produce men, such as the Messrs. Gibbs, and large manufactures; and he believed, a very large bonus could be got from the northern townships with the branch to Oshawa. The road to Washago from Port Perry would be 45 miles; to Lindsay, 16 miles; Oshawa Branch, 7 miles. If the muni-

cipalities gave $5,000 a mile, and the Government grant $2,000 a mile, then he believed that, with the bonds of the Company, the road could be finished. The increase of traffic on the Whitby and Port Perry road this year, was, he mentioned, 40 per cent. over that of last year; he wished to be understood that the increase in freight amounted to 40 per cent.; the passenger traffic increased some six or seven per cent. He contrasted this with the local traffic on other lines. Taking the Northern Railway 20 miles to Richmond Hill, and there was very little local traffic. And he knew of no railway paying so well as the Whitby and Port Perry Railway for its short distance. The Extension would increase the traffic over the whole road, and touching the Lake Simcoe and Muskoka waters, and the waters of the Georgian Bay would secure an immense trade. At the present time, if they could get as far north as Washago, they would be enabled to secure a large lumber trade, and the line would also pass through a good agricultural country. Referring to Lindsay as a very important point, he instanced the fact that Mr. Baker, of that place paid as much as $40,000 for freight alone in a single year to the Midland Railway Company. There were about forty million shingles cut at Lindsay they were starting a large paper mill there—using the rice straw in its manufacture. Manufactures in the same direction might be established at Port Perry where there was also plenty of rice straw, and great facilities for shingle manufacture. In Port Perry they were also getting up a pork packing establishment, by Messrs. Brown & Ross, and strange to say, the hogs would be brought into Whitby; go back to Port Perry and then be shipped again from Port Perry by way of Whitby. The gentlemen of the present Company, who were the bondholders of the road, who owned all the rolling stock, with the exception of a few flat and box cars, and who owned also a large portion of the stock, could not, he said be expected to go on with the extension without help from the localities interested. This meeting was therefore called for the purpose, as stated in the circular, of devising the best means of furthering the undertaking. He regretted they had not a larger meeting—there were, however, only comparatively few invited, and these things had always to commence in a small way. He was satisfied that a county by-law could be carried:—it would have to be a by-law for $250,000. They would also get a bonus from Mariposa; but they would leave that for the present with Mr. Laidlaw. He would like him to come down with them to Port Perry with the Victoria road, or to join them at Sunderland or thereabouts. [Mr. Holden here paid a high compliment to Mr. Laidlaw, as the Railway King, who understood how to build railways, and whose energy as a railway man had built up the City of Toronto.] If, he continued, the leading men of Whitby and Oshawa put their heads together they could extend the road; but the men of both localities should join heart and hand in order to be at all successful. He was sorry to find the mayor of the town, and the reeve and the deputy reeve absent—all of whom had been invited to attend. He was proud to see so large and respectable a delegation present from Oshawa. It was the wish of the Company to give Oshawa a branch, if they joined in the extension.

Mr. Holden said that he had lately met men—farmers from the Township of Pickering—who were in favour of granting a bonus to the Whitby and Port Perry Railway for extension. They said to him "go on and extend your road and we'll vote for a bonus." They would do so on the principle that by increasing the value of property in the north, the taxes would be decreased in the front. And he contended that Pickering would have other advantages by the extension. They would have cheap lumber, cheap posts, and cheap cordwood. And what had the road done for the Town of Whitby, after all that was said. Instead of having to pay $7 for cordwood, they were now getting it for $5, and they were getting lumber for $9, for which they would have to pay $12—saving actually as much in this way as the whole railway tax came to.

The other speakers were, Messrs. Draper, Laidlaw, Cowan, Hon. T. N. Gibbs, Dr. McGill, W. H. Gibbs, E. Major, and A. Farewell, M. P. P., after hearing whom it was moved by Hon. Mr. Gibbs, seconded by A. Farewell, Esq., M. P.P., and carried unanimously:

That this meeting has listened to the clear and lucid statements of the managing director of the W. & P. P. Railway, Mr. Holden, whereby it is proposed to extend their line, and request that he will cause a synopsis of the same to be printed and circulated for the consideration of the people of the county of Ontario, so far as the same has been concur-

red in by this meeting; and that another meeting be called at Port Perry at an early day, to which the councillors of the several municipalities, and the leading gentlemen of this and adjoining counties be invited, for the purpose of fully discussing the project.

The meeting concurred in opinion that Mr. Laidlaw, on behalf of the Victoria Railway Company, should be permitted to construct the Branch to Lindsay from Wick, and Mr. Holden, on behalf of the W. & P. P. R., agreed to connect with it at the nearest point from Port Perry, at or near Wick.

(Copy.)

OFFICE OF THE WHITBY AND PORT PERRY EXT. RAILWAY,
Whitby, June 8th, 1875.

Hon. O. MOWAT,
Attorney-General, Province of Ontario.

SIR,—In compliance with your request made to the Railway deputation which waited upon you on the 2nd instant, that the Railways seeking connection with the Georgian Bay branch of the Canada Pacific Railway should provide you with their several schemes I have the honour to submit, on behalf of the Whitby and Port Perry Extension Railway, their proposed scheme of extension, for which they desire Government aid.

It is proposed to build the road from Port Perry to French River, a distance of one hundred and sixty miles, with a branch from some point in the Township of Brock to Lindsay, fifteen miles, there to connect with the Victoria and Belleville Junction Railways.

This, with the twenty miles now in operation from Whitby to Port Perry, would make one hundred and ninety five miles, connecting with the Nipissing Railway in the Township of Brock, with the Midland Railway at Beaverton, the Northern at Washago, and with the Hamilton and North Western at some point at or near Gravenhurst where they may think best.

It is proposed to allow these connecting roads to have running powers over, or proper traffic arrangements with this line, also the Cobourg and Peterboro' Railway, and the Ontario and Quebec Railway, they getting the same privileges on the Belleville Junction Railway to Lindsay.

This scheme has the advantage in distance from French River to Lake Ontario over all others, being the shortest and most direct.

It also has the advantage of connecting with the Inland Navigation—the Trent waters at Port Perry, Simcoe waters at Beaverton, Muskoka waters at Gravenhurst, and Georgian Bay at Parry Sound and French River.

Whitby has one of the best harbours on the north shore of Lake Ontario, where depth of water can be obtained to admit the largest vessels.

To compare the distances—taking the route from Whitby to Gravenhurst is eighty miles, from Toronto by the Northern Railway is one hundred and fourteen miles, and from Port Hope by the Midland Railway is one hundred and eleven miles, showing a difference in favour of the Whitby and Port Perry line of thirty-four and thirty-one miles respectively. Toronto is also four miles nearer Gravenhurst *via* Grand Trunk and Whitby and Port Perry Railways than *via* the Northern. This comparison also applies to French River.

You will at once see that this scheme will accommodate all sections of Ontario, and would do more to build up the Province both as a Colonization Road and a through line than any other yet laid down.

I enclose herewith a map of the Whitby and Port Perry Extension Railway, and also one of the Province, showing the route of the proposed scheme in red lines.

In order to carry it out we would require the Government to grant aid from Port Perry to Gravenhurst, four thousand ($4,000) dollars per mile; branch to Lindsay, three thousand dollars ($3,000) per mile; from Gravenhurst to French River, fifteen thousand dollars ($15,000) per mile, in money or lands.

I also submit another plan which would serve the same interests at less cost to the country which is, that the Midland Railway do give running powers on traffic arrange-

ments to the Belleville Junction Railway and Cobourg and Peterboro' Railway from Omemee, the Whitby and Port Perry Railway from Beaverton, and that the Northern Railway do give the same running powers or traffic arrangements to the Hamilton and North-western Railway from Barrie and to all the roads mentioned, from Atherly to Gravenhurst, that the Government assist a neutral line from this point to connect with the Pacific Railway.

The Whitby and Port Perry line to give like powers or arrangements to the Nipissing Railway at their Junction, and the Victoria Railway at Lindsay.

In which case the Whitby and Port Perry Railway would require Government aid of three thousand dollars ($3,000) per mile from Port Perry to Beaverton and branch to Lindsay.

Having consulted with leading men from the different sections, I am confident if you conclude to accept this scheme, it will give universal satisfaction to the Province generally.

Hoping you will give this matter the consideration its importance seems to merit.

I have the honour to be sir,
Your obedient servant,
JAMES HOLDEN,
Managing Director.

OFFICE OF THE WHITBY AND PORT PERRY EXTENSION RAILWAY,
Whitby, 8th October, 1875.

Hon. O. MOWAT.
Premier, Province Ontario.

SIR—Referring to the conversation I had with you on the subject of extension of our Railway to Lindsay, I have now the honour of placing my views in writing, for your consideration, as you suggested.

You will no doubt recollect that on the 8th June I addressed you on the subject of a more extensive scheme than that which I now submit, but from the depression of existing railways, the scheme referred to is out of the question, from the fact that Railway Bonds to any extent cannot be floated in the English market.

In consulting with my partners, Messrs. Austin, Michie, and Fulton, we have decided, should we receive reasonable aid from your Government, to build the very necessary link between Port Perry and Lindsay, a distance of about 22 miles, thereby connecting with the Midland Railway, and proposed Victoria Railway, which would enable the people in that vicinity to leave Lindsay in the morning, do their business in Toronto, and return the same day, the distance being about 70 miles.

This extension could be built very cheaply, there being no extensive bridging or cuttings. This done, with proper improvement of the Trent waters, and Victoria Railway built to Fenlon Falls, would meet the demands of this section of country for many years.

I think, therefore, that the link should receive Government aid, as it is in the interest of the new country opening up, and of the Province generally.

I am satisfied it would be one of the best paying roads in the country, and would do much to show to capitalists that Canadian Railways can be made to pay, which is sadly required at the present time, and which must be done before the Ontario Government can give the aid necessary to connect with the Canada Pacific Railway, which every well-wisher of this Province would like to see.

It would be out of place for me to say more on this subject, as I believe you have carefully looked into the whole matter, and I have every confidence in your judgment, and that you will assist this company, by aiding the short but important link referred to.

I have the honour to be, Sir,
Your obedient servant,
JAMES HOLDEN,
Managing Director.

WHITBY, Nov. 20th, 1875.

Memorandum of the Whitby and Port Perry Extension Railway Company.

CAPITAL ACCOUNT.

Municipal Bonus	$ 97,094 93
Government subsidy, 20 miles, $2,000	40,000 00
Bonds issued, $8,000 per mile	160,000 00
(All held by Messrs. James Austin, James Michie, A. F. Fulton, and James Holden, respectively President, Vice-President and Directors.)	
Stock paid up	110,696 89
Floating debt, all of which is due the above named persons	98,670 91
	$506,462 73

(Signed.) JOHN J. ROSS,
Secretary.

WHITBY AND PORT PERRY RAILWAY.

STATEMENT A.

Shewing increase of Revenue from the opening of the Road.

Year.	Gross Receipts.	Increase on Previous Year.
1872	$24,761 57	
1873	30,936 68	$6,175 11
1874	38,766 65	7,830 07
1875	43,342 37	4,575 62

NOTE.—Road closed during months of February and March in 1875, November and December, for 1875, traffic estimated at same as corresponding months of 1874.

(Signed). JOHN J. ROSS,
Secretary

Whitby, Nov. 20th, 1875.

B.

ESTIMATE for the construction and equipment of the proposed Extension of the Whitby and Port Perry Railway, from Port Perry to Lindsay.

Estimated distance twenty-five miles.

	Per mile.	Total.
Construction, including right of way, fencing, grading, bridging, culverts, road and farm crossings, ties, iron, ballasting, sidings and station buildings, complete in every respect	$11,500	$287,500
Engineering and contingencies	11,154	28,750
Equipment, consisting of two locomotives, three first class passenger cars, two smoking cars, two post office cars, express and baggage cars, two conductor vans, twelve box cars and forty-five flat cars	3,000	75,000
Total	$15,650	$391,250

(Signed) JOHN SHEIR,
Civil Engineer.

Whitby, Nov. 19th, 1875.

(Copy.)

TORONTO, 22nd Nov., 1875.

SIR,—We have the honour to enclose herewith the petition of the "Whitby and Port Perry Extension Railway Company" for aid in the construction of this extension, and would request that the same be laid before His Excellency the Lieutenant-Governor in Council.

We have the honour to be,
Your obedient servants,
MULOCK & CAMPBELL.
Solicitors for the above named Railway.

To the Hon.
S. C. WOOD,
Prov. Sec.,
Gov. Buildings,
Toronto.

(Copy.)

To His Excellency the Honorable the Lieutenant Governor of Ontario in Council.

The Petition of the Whitby and Port Perry Extension Railway Company,

HUMBLY SHEWETH,

That your Petitioners have constructed, and are now working a line of railway from the Town of Whitby to the Village of Port Perry, in the County of Ontario. The said line is twenty miles in length, and in good running order.

The expenditure of a sum not exceeding two thousand five hundred dollars, will place the line, and all works connected therewith, in such a position as that the cost of maintenance of the same will be for a time reduced to a minimum.

The whole capital of your Petitioners consists of five hundred and six thousand, five hundred dollars ($506,500), for payment of dividend upon which it is estimated a net revenue of $29,000 can be earned.

Your Petitioners are now desirous of extending their line at or near the Village of Port Perry to the Town of Lindsay.

The present terminus of your Petitioners' line (Port Perry) is situated upon the southern limit of inland navigation, connected with a large lumbering district, and in the event of the line being extended as contemplated, it would give increased facilities to the said district. The water supply of Lake Scugog not being sufficient for increased lockage, and connecting as it does with the Victoria Railway at Lindsay, an extensive trade in lumber would spring into existence, which now cannot be carried on by reason of the difficulty and expense in getting the lumber to market.

That, whilst by this extension a large area of settled and cultivated territory around the Town of Lindsay, and in the adjoining townships, will come into direct railway communication with the Town of Whitby, whose harbour is one of the best natural harbors on the north shore of Lake Ontario, its connection with the Victoria Railway will greatly facilitate the opening up of the extensive timber and mineral country lying between the Georgian Bay and the Ottawa River.

There are now in existence—at different points which would be served by this proposed extension line—mills with a capacity of producing 800,00,000 feet of lumber per annum, but which are not now worked to their full capacity on account of the want of cheap transportation of the lumber to market.

In the event of the line being extended, there is no doubt that not only would the production of the existing mills be increased, but other mills would at once be put up, and the lumber trade greatly accelerated.

That your petitioners are justified in hoping for increased traffic from increased

facilities, is apparent from a consideration of the large and steady increase of business experienced by their road during the past four years, as shown by statement annexed marked A. The said proposed extension will not only be beneficial in opening up timber and mineral lands but a large area of land which would be immediately productive of grain and cereals will be served thereby.

The shipment of grain during the past four years has also been largely and steadily increasing.

There is no reason to doubt that, by the construction of this extension, emigration into and settlement of a large district which is now unsettled, only by reason of the want of connection with the settled districts, will be promoted.

That the length of the said proposed extension is twenty five miles, the estimated cost of which is $391,250 as per statement annexed, marked B, and steps have been taken to obtain from certain municipalities through which the said extension will pass, the sum of $5,000 per mile by way of bonus. There would be issued upon the proposed extension mortgage bonds to the amount of $7,000 dollars per mile.

Unless Parliamentary assistance be granted in aid of building the said extension, the same cannot be carried on and the development of the above named district by railway service will be indefinitely postponed.

That your petitioners therefore pray that your Honour will be pleased to consider the higher claims which this Company has upon the liberality of the Legislature, as a colonization road, than those companies whose lines only serve better developed and better settled districts.

That your Honor will authorize an appropriation to be made in aid of this important undertaking, as its merits and value may warrant.

And your petitioners, as in duty bound, will ever pray.

(Signed) JAMES MICHIE;
Vice-President.
JAMES HOLDEN,
Managing Director.

COUNTY TREASURER'S OFFICE,
LINDSAY, 2nd Dec., 1875.

I. R. ECKART,
Asst. Provincial Secretary, Toronto.

SIR—In compliance with your memorandum, I herewith enclose copies of Petitions of the County Council of Victoria, asking aid for the Victoria, & Whitby & Port Perry Railways, for His Honor the Lieutenant Governor.

Your obedient servant,

T. MATCHETT,
County Clerk,

To His Honor DONALD ALEXANDER MACDONALD,
Lieutenant Governor of the Province of Ontario:

The Petition of the County Council of the County of Victoria, now in session,

HUMBLY SHEWETH,

That the extension of the Whitby and Port Perry Extension Railway from the village of Port Perry to the town of Lindsay would be a great benefit to a large section of the County of Victoria, now almost cut off from railway communication.

That by said extension a junction would be formed at the town of Lindsay with the Victoria Railway, now in course of construction, and increased facilities thereby given for communication with the northern sections of this County and the County of Haliburton.

That your petitioners, appreciating the advantage to be derived from the building and

completion of the said Whitby & Port Perry Extension Railway to the town of Lindsay, have submitted a By-law to the ratepayers of the Townships of Mariposa, Ops, Fenelon, and the town of Lindsay, granting aid, by way of bonus, to the said railway, to the extent of one hundred thousand dollars.

That your petitioners, being aware of the desire of the Government to assist railway enterprise, having for its object the development of the interior districts of the Province, humbly pray, that your Honour will grant such pecuniary aid to the Whitby and Port Perry Extension Railway Company, as will ensure the completion of the said undertaking to the town of Lindsay.

Passed this 27th day of November, A. D. 1875.

(Signed.) Robt. E. Perry, (L. S.)
Warden.

(Signed.) T. Matchett,
County Clerk.

SUPPLEMENTARY RETURN

Of Correspondence relating to the Port Whitby and Port Perry Extension Railway, subsequent to that printed in Sessional Papers, 21st December, 1875.

By Command,

S. C. WOOD,

Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, January 28th, 1876.

SCHEDULE OF CORRESPONDENCE RELATING TO THE "PORT WHITBY AND PORT PERRY EXTENSION RAILWAY."

1876.

Jan. 27.—Letter from G. Young Smith to the Provincial Secretary, enclosing Petition of the Corporation of the County of Ontario.

(Copy.)

WHITBY, 27th January, 1876.

Honourable S. C. WOOD, &c., Toronto.

DEAR SIR,—I beg to enclose Memorial passed by our County Council to-day. Please have the same attended to, and greatly oblige

Your obedient servant,

(Signed) G. YOUNG SMITH.

To His Honor DONALD ALEXANDER MACDONALD, *Lieutenant-Governor of the Province of Ontario.*

The Petition of the Corporation of the County of Ontario

HUMBLY SHEWETH:

That the Town of Whitby and the Townships of Whitby, Reach and Scugog, all in the County of Ontario, have liberally aided, by way of bonus, in the construction of the Southern Section of the Whitby and Port Perry Extension Railway between those two points.

That your Petitioners consider the extension of said Railway from Port Perry through the Townships of Reach, Brock, Mariposa and Ops to the Town of Lindsay, and there to connect with the Victoria Railway from Lindsay to Haliburton, a matter of the first importance to the section of country above named, and of general advantage to the Province at large.

The extension, pointing as it does to the North, to the Free Grant country, to the lumber country, to the mineral country, and finally to the Ottawa River and Pacific Railway, and furnishing a new outlet at one of the best harbours on the North Shore of Lake Ontario for that rapidly natural increase of business and traffic of that section, has, we believe, strong claims on the Government of Ontario for a liberal grant for that section of the line between Port Perry and Lindsay, on such terms and conditions as the Government may feel are desirable for the protection of the general interests of the Province.

Your Petitioners take a deep interest in the extension of this Railway, and humbly pray that your Honor may grant such a sum out of the funds of the Province as may enable the Directors of the said Company to complete the same from Port Perry to Lindsay.

And your Petitioners, as in duty bound, will ever pray.

(Signed) JOHN MILLER,
Warden.
J. G. MACDONELL,
County Clerk, County of Ontario.

Whitby, 27th January, A.D. 1876.

RETURN

Of Correspondence and Papers relating to the "South Western Railway."

By Command,
S. C. WOOD,
Secretary.

Provincial Secretary's Office,
Toronto, December 16th, 1875.

SCHEDULE OF CORRESPONDENCE AND PAPERS RELATING TO THE "SOUTH WESTERN RAILWAY."

1875.
Dec. 7th.—Letter from J. C. Patterson to the Honourable the Provincial Secretary, enclosing Petition from the County Council of Essex, praying that aid may be granted to the South Western Railway.

TORONTO, December 7th, 1875.

To the Honourable S. C. WOOD,
Provincial Secretary.

SIR,—I beg to enclose the Petition of the County Council of Essex, praying that aid may be granted to the South Western Railway.

I am, Sir,
Your obedient servant,
(Signed) J. C. PATTERSON.

To His Honour the Lieutenant Governor and Honourable Executive Council of the Province of Ontario.

The Petition of the Warden, Reeves and Deputy Reeves of the County of Essex, in council assembled.

RESPECTFULLY REPRESENTS:

1st. That the proposed construction of a Railway, under the provisions of the charter of the South Western Railway Company of Canada, is an enterprise of large importance not alone

to the County of Essex, but as well to the entire South Western portion of the Province of Ontario generally.

2nd. That your Petitioners are of opinion that, in the dispensation of any further moneys in aid of Railways, this section of the Province is equally entitled to consideration with other localities.

Therefore your Petitioners humbly pray that, in the appropriation of any further aid to Railway Companies, the claims of the "South Western" for consideration be favourably entertained by the Honourable the Administration of the Province, and your Petitioners, as in duty bound, will ever pray.

(Signed) LUKE MONTREUIL,
Warden.

(Signed) THOS. MCKEE,
Clerk.

Dec. 2nd, 1875

RETURN

Of Correspondence and Papers relating to the "Stratford and Huron Railway."

By Command,

S. C. WOOD,
Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, December 20th, 1875.

SCHEDULE OF CORRESPONDENCE AND PAPERS RELATING TO THE "STRATFORD AND HURON RAILWAY."

1873.

Sept. . —Letter from the Secretary of the Company to the Honourable the Attorney-General.

" 9th. —Letter from H. Kinloch to the Secretary of the Company, in reply thereto.

1874.

Sept. 14th.—Letter from the Secretary of the Company to the Honourable the Attorney-General.

" 16th.—Letter from H. Kinloch, Attorney-General's Office, in reply.

" 23rd.—Petition from the Company and others for a grant in aid.

Memo. of a Report of A. D. Wright, Chief Engineer, of survey made and of approximate cost.

" 23rd.—Memo. Certificate of deposit to credit of the Company in Merchants' Bank, Stratford.

" 24th.—Memo. List of names and residences of delegates.

Memo. Copy of by-law granting bonus of $30,000 in aid of road.

Memo. List of subscribers to the stock of the Company.

Oct. 13th.—Letter from President of the Company to the Honourable the Attorney-General.

" 27th.—Letter from the Honourable the Attorney-General to the President of the Company.

" 30th.—Letter from Secretary of the Company to the Honourable the Attorney-General.

Nov. 21st.—Letter from Secretary of the Company to the Honourable the Attorney General.

Dec. 2nd.—Copy of an Order in Council.

" 3rd.—Letter from the Assist.-Secretary to Alex. Grant, Stratford.

" 3rd.—Letter from the Assist.-Secretary to the Secretary of the Company.

" 22nd.—Letter from R. Smith to the Hon. A. Crooks, Treasurer, enclosing Petition from the Municipal Council of the Town of Stratford.

1875.
Dec. 13.—Letter from President of the Company to the Assistant-Secretary, enclosing copy of his letter to the Honourable the Attorney-General of the 9th inst., and financial statement; also a letter from the Mayor of Stratford and copies of by-laws of Town of Stratford and County of Perth.

(Copy.)

OFFICE OF STRATFORD AND HURON RAILWAY COMPANY,
Stratford.

SIR,—At a meeting of delegates from various Municipalities from Owen Sound to Stratford, held at the Village of Orchardville, in the County of Grey, to confer with a Committee of the Provisional Board of Directors of the Stratford and Huron Railway Company, a Committee was appointed to wait on you and ascertain what hopes of a bonus your Government would give towards assisting a railway from Stratford to Owen Sound and Colpoy's Bay. Will you have the kindness to name a day on which you would give the Committee a hearing, at least eight or ten days hence, allowing me time to notify the several members of the Committee? An early reply will much oblige.

By order of the President, James Corcoran, Esq.,
I am, Sir.
Your most obedient servant,
(Signed) P. WATSON.

The Honourable Oliver Mowat,
Attorney-General, Ontario,
Toronto

(Copy.)

TORONTO, 9th September, 1873.

SIR,—I am instructed by the Attorney-General to acknowledge the receipt of your letter without date. I am desired to state that the settled rule of the present Government and of the Government which preceded it has been to give no undertaking whatever with respect to a bonus until the Company applying for it show that they are in a condition to build the line, and have taken all necessary steps for the purpose. If your Company is not in a sufficiently forward state for this purpose, the interview with the Government had better be postponed; but if, in view of the policy mentioned, the interview referred to in your letter is desired, the Attorney-General will name a day on receiving your reply.

I am, Sir,
Your obedient servant,
(Signed) H. KINLOCH.

P. Watson, Esq.,
Secretary Stratford & Huron Railway Company,
Stratford, Ont.

OFFICE STRATFORD AND HURON RAILWAY COMPANY,
Stratford, September 14th, 1874.

Hon. O. MOWAT,
Attorney-General, Ontario.
Toronto.

SIR,—As the shareholders of the Stratford and Huron Railway Company have elected a Board of Directors, and put their Engineer on to survey the route, the Board of Direc-

tors are desirous to ascertain your views regarding the promised subsidy, and wish to know when it would be convenient for you to see a Committee of the Board and others from the north. Will you please name a day when they can see you? As early a day as convenient after the 23rd inst. will oblige.

By order of the President, S. S. Fuller, Esq.,
Your most obedient,
P. Watson,
Secretary.

Attorney-General's Department,
Toronto, 16th September, 1874.

Sir,—I am directed by the Attorney-General to say that he will be happy to meet a Committee of the Board of the Stratford and Lake Huron Railway Company on Friday, the 26th inst.

Your obedient servant,
(Signed) H. Kinloch.

P. Watson, Esq.,
Stratford, Ontario.

To His Excellency the Honourable John Crawford, *Lieutenant-Governor of the Province of Ontario.*

The Petition of the Stratford and Huron Railway and others,

Humbly Sheweth:

That your Petitioners are a Company incorporated by Act of the Legislature of the Province of Ontario, 36 Vic., chap. 87, intituled "An Act consolidating and amending Act incorporating the Stratford and Huron Railway Company, and Acts reviving and amending the same," assented to 29th March, 1873, empowering them to construct a railway from the Town of Stratford, in the County of Perth, to Southampton, in the County of Bruce, or to any point between Kincardine and Southampton, on Lake Huron, and with power to make branches from some point or points on the main line to or near the Town of Kincardine and Owen Sound respectively.

That your Petitioners propose to construct a railway from Stratford, in the County of Perth, through or near the Town of Clifford, in the County of Wellington; thence to the Village of Wiarton, in the County of Bruce, with a branch to the Town of Owen Sound.

That your Petitioners propose making connections with the Stratford and Port Dover Railway system at Stratford, thus forming a continuous railway communication from the Town of Port Dover, on Lake Erie, to the Village of Wiarton and Town of Owen Sound aforesaid.

That your Petitioners propose to give running connections with all railway systems which touch their line of railway, that stock to the amount of ($48,850) forty-eight thousand eight hundred and fifty dollars has been subscribed, and that ten per cent. thereon has been paid into the Merchants' Bank of Canada in Stratford. That the stock holders of said Company did on the second day of September, A.D. 1874, elect the following persons, a Board of Directors in accordance with the Act of the Legislature, namely, "Alexander Williamson the younger, Samuel Street Fuller, Valentine Kertcher, Frank S. Dobson, D. Tisdale, T. J. Clarke, and J. E. Bullock." That Samuel Street Fuller, of Stratford, was elected President of the said Company, and that David Tisdale, of Simcoe, was elected Vice-President. That A. D. Wright was appointed Engineer of the Company, and a surveying party are now surveying the line of railway from Stratford to Clifford, and have completed a survey of the first section of said railway to the Wellington, Grey and Bruce Railway, a distance of from twenty-three to twenty-six miles. That the County of Perth has granted a bonus to the said Stratford and Huron Railway to the amount of eighty thousand dollars. That the Town of Stratford has granted a bonus to the amount of thirty thousand dollars.

That bonuses are promised from the boundary line of the County of Perth by the municipalities though which it is proposed to run the said railway to the Georgian Bay. That herewith are submitted extracts of cost of construction for such first section and the estimate of cost of the balance, accompanied by maps, and other details required will be forwarded as soon as the survey is completed.

That so soon as Government aid is granted, the Company will take steps to put under contract the first section of the line so as to connect with the Wellington, Grey and Bruce system of railway, thus making connections between the Grand Trunk Line and the Wellington, Grey and Bruce and the Port Dover and Lake Huron Railways as soon as the latter is completed to Stratford.

That herewith is submitted a list of shareholders of this Company, showing the number of shares and the amounts paid into the Merchants' Bank of Canada, in Stratford.

That herewith are submitted certified copies of the By-laws, granting bonuses by the County of Perth and the Town of Stratford to the extent as before mentioned, eighty thousand and thirty thousand dollars respectively, and a certificate of a deposit in the Merchants' Bank of Canada, at Stratford, of ten per cent. paid in stock of the said company.

That the said first section of the said road runs through a flat country, chiefly swamps, which, however, will be valuable farming land when drained, and the necessary effect of building the Railway will be in a large measure to supply the drainage.

That the said railway will be constructed through the Indian lands in the County of Bruce, where it will be difficult if not impossible to obtain a sufficient bonus, whilst the construction of the said railway will undoubtedly increase the value of the said lands.

Your Petitioners therefore pray that an Order in Council may be passed granting them three thousand dollars per mile for that portion of the line between Stratford and the said Indian Lands, and thereafter four thousand dollars per mile.

And your Petitioners will ever pray.

Dated this 23rd day of September, A.D. 1874.

S. S. FULLER,
President.

Thos. Scott, M.P.
T. M. Daly, M.P.P.

D. Tisdale		Vice-President, Simcoe.
P. Watson, Sec. and Deputy-Reeve		Stratford.
Thos. J. Clark		Director, Woodstock.
F. Parker		Vice-Pres. P. D. & L. H. R. Com.
A. Williamson		Deputy-Reeve, Stratford, and Director.
Wm. Bull	Delegate from	Wiarton.
Victor Lang	"	Neustadt.
A. D. Shantz	"	Normanby.
John Werment	"	Neustadt.
John Clark, M.P.P.	"	North Norfolk.
Frank R. S. Dobson	"	Clifford.
Thos. Beurreau	"	Elderslie, Leone.
Jas. Allen, Reeve	"	Amabel.
George Adams	"	Carrick.
H. P. Adams	"	Hanover, Co. Grey.
Robert Young	"	Allenford.
A. Freelom, ex-Reeve	"	Arran.
Thos. Pittman, ex-Reeve	"	Keppel.
J. Speers	"	Owen Sound.

To the Incorporators of the Stratford and Huron Railway Company.

GENTLEMEN,—In accordance with your directions, a survey has been made from a point on the Port Dover and Lake Huron Railway at Stratford, to the southern extension of the

Wellington, Grey and Bruce Railway, a distance of twenty-five miles. I have to direct a very direct and feasible route. The country however is but sparsely settled, owing to the fact that the line necessarily crosses the great swamps in the eastern portion of the Township of Ellice. The greatest difficulty in construction will arise from these swamps and forests; it is believed the ditches required to be made in grading will materially assist in the drainage of the swamps, and render a very considerable amount of land on each side suitable for cultivation. The principal engineering difficulty will be in crossing the River Avon, soon after leaving Stratford.

The approximate estimate of cost of construction is thirteen thousand five hundred dollars per mile, exclusive of rolling stock.

Very respectfully,
Your obedient servant,
A. D. WRIGHT,
Chief Eng.

Stratford, September 23rd, 1874.

STRATFORD, September 23rd, 1874.

I, Charles Herbert Ransom, Agent of the Merchants' Bank of Canada at Stratford, do hereby certify that the sum of four thousand eight hundred and eighty-five dollars ($4,885 00) has been paid into the said Bank at its agency at Stratford, to the credit of the Stratford and Huron Railway Company, and that the whole of this sum was to the credit of the said Company on the twenty-fifth day of August, A. D. 1874.

CHARLES H. RANSOM,
Agent

TORONTO, Sept. 24th, 1874.

Names and residences of Delegates, S. and Huron Railway.

T. J. Clark	Woodstock.
H. Parker	Woodstock.
Alex. Williamson	Stratford.
Wm. Ball	Wiarton.
Victor Lang	Newstadt.
A. D. Shapter	ornauby.
John Wemhart	Newstadt.
Frank S. Dobson	Clifford.
Thos. Bearman	Elderslie.
Jas. Allen	Reeve of Amabel.
George Adams	Carrack.
H. P. Adams	Hanover.
Robert Young	Allenford.
A. Freelom	Ex Reeve, Arran.
Thos. Pitman	Keppel.
J. Speare	Owen Sound.
P. Watson (sen.)	
D. Tisdale	Vice-Pres. S. & H. R.R Petrolea, Delegate.
T. Scott, M.P.P.	N. Grey.
D. Sinclair, M. P. P.	N. Bruce.
D'Arcy Boulton, M. P. P.	S. Simcoe.

BY-LAW No. 173.

To aid and assist the Stratford and Huron Railway Company, by giving $30,000, by way of bonus, to the said Company, and to issue debentures therefor, and to authorize the levying of a special rate for the payment of the said debentures and the interest thereon.

Whereas, the Municipality of the Town of Stratford has determined to aid and assist the said Company, by giving thereto, by way of bonus, the sum of thirty thousand dollars:

And whereas, in order to carry into effect the said recited object, it will be necessary for the said Municipality to raise the said sum of thirty thousand dollars in the manner hereinafter mentioned:

And whereas, it will require the sum of three thousand three hundred dollars to be raised annually, by special rate, for paying the said debt of thirty thousand dollars, and interest on said debentures to be issued therefor, as herein provided:

And whereas, the amount of the whole rateable property within the said Municipality, irrespective of any future increase of the same, and also irrespective of any income to be derived from the temporary investment of the sinking fund hereinafter mentioned, or of any part thereof, is, according to the last revised Assessment Roll of the said Municipality, being for the year 1872, the sum of one million and sixty-nine thousand five hundred and fifty-five dollars:

And whereas the amount of the existing debt of the said Municipality is as follows:—Principal, one hundred and thirty-six thousand dollars; interest, eighty-five thousand six hundred and fifty $\frac{44}{100}$ dollars:

And whereas, for paying the interest upon, and creating an equal yearly sinking fund for paying the principal of the said debt of thirty thousand dollars, as herein mentioned, it will require an annual special rate on the dollar of three mills and one-tenth of a mill on the whole rateable property of the said Municipality in addition to all other rates to be levied each year:

Be it therefore enacted by the Council of the Corporation of the Town of Stratford in Council assembled, as follows:—

1st. That it shall and may be lawful for the said Municipality to assist the said Company by giving them, by way of bonus, the sum of thirty thousand dollars.

2nd. That it shall be lawful, for the purpose aforesaid, for the Mayor of the said Municipality to cause any number of debentures to be made for such sums of money as may be required for the said purpose, not less than one hundred dollars each, and not exceeding in the whole the said sum of thirty thousand dollars, which said debentures shall be sealed with the seal of the said Municipality, and signed by the Mayor and Treasurer thereof.

3rd. That the said debentures shall be made payable in twenty years at furthest, from the day hereinafter mentioned for this By-law to take effect, at the office of the Treasurer of the Town of Stratford, and shall have attached thereto coupons for the payment of interest at the rate and in the manner herein mentioned.

4th. That the said debentures shall bear interest at and after the rate of six per centum per annum from the date thereof, and such interest shall be made payable half-yearly, on the first day of January and the first day of July in each and every year during the continuance of the said debentures, at the office of the Treasurer aforesaid.

5th. That for the purpose of forming a sinking fund for the payment of the said debentures and the interest to become due thereon, an equal special rate of three mills and one-tenth of a mill on the dollar shall, in addition to all other rates, be raised, levied and collected in each year upon all the rateable property in the said Municipality during the continuance of the said debentures, or any of them.

6th. That this By-law shall take effect and come into operation on, from and after the first day of July, in the year of our Lord one thousand eight hundred and seventy-three.

7th. That the said debentures shall not be delivered to the said Railway Company, or to any person or persons, body or bodies corporate for the said Railway Company, or on its behalf, or in trust for it, until after that the said Company and the said Municipal Council of the Town of Stratford shall have agreed upon the terms of delivery thereof, and of the expenditure to be realized therefrom.

8th. That the votes of the ratepayers in the said Town of Stratford entitled to vote upon the said By-law will be taken thereon on the seventh day of March, in the year of our Lord one thousand eight hundred and seventy-three, the polls to be opened at the hour of nine o'clock in the morning, and closed at the hour of five o'clock in the afternoon, and that the places where the said polls shall be opened, and the Returning Officers for each poll, shall be as follows:—

In Avon Ward, at McCauley's store—Robert McCauley, Returning Officer.

In Falstaff Ward, at Venton's shop, Ontario Street—D. T. Bailey, Returning Officer.
In Romeo Ward, at Adams' shop, Market Street—Thomas Miller, Returning Officer.
In Hamlet Ward, at the School-house—Thomas Tobin, Returning Officer.
In Shakespeare Ward, at the Town Hall—H. Sewell, Returning Officer.

I, Henry Sewell, Clerk of the Town of Stratford, do certify that the foregoing is a true and correct copy of By-law No. 173, passed by the Council of Stratford on the 14th day of April, 1873.

H. SEWELL,
Town Clerk.

(Signed) T. STONEY,
Mayor.

LIST of Subscribers to the Stock of the Stratford and Huron Railway.

NAME OF SHAREHOLDER.	Address.	Number of shares.	Amount of Deposit paid in.
			$ cts.
D. Tisdale	Simcoe	200	1000 00
S. S. Fuller	Stratford	100	500 00
T. J. Clarke	Woodstock	100	500 00
A. D. Wright	do	100	500 00
A. E. Davies	Elma	5	25 00
T. R. Fuller	Toronto	10	50 00
J. E. Bullock	Otterville	5	25 00
Henry Ratz	Ellice	5	25 00
P. Watson	Stratford	5	25 00
John Idington	do	10	50 00
John Cary	do	2	10 00
Alex. Grant	do	6	30 00
William Gordon	do	5	25 00
Sherman & Foster	do	5	25 00
James Redford	do	10	50 00
James Fisher	do	10	50 00
C. J. Mickle	do	1	5 00
James O. Lone	do	2	10 00
A. J. O. Higgins	do	2	10 00
Charles Lee	do	2	10 00
W. Steer	do	1	5 00
W. Winter	do	2	10 00
T. Hagarty	do	2	10 00
G. W. Lawrence	do	2	10 00
John Corrie	do	2	10 00
W. F. McCulloch	do	2	10 00
Robert Smith	do	5	25 00
G. Horne	do	5	25 00
Frank S. Dobson	Clifford	3	15 00
J. M. Scott	Stratford	2	10 00
Alex. Williamson	do	5	25 00
Thomas Obtham	Milbank	2	10 00
Henry Seftler	do	2	10 00
A. Rieby	do	1	5 00
John Todd	do	2	10 00
Henry Smith	do	1	5 00
George Hammer	do	1	5 00
Peter McTavish	do	1	5 00
James McCormick	do	2	10 00
Louis Zoeger	do	1	5 00
William Laidlaw	do	1	5 00
J. B. Rutherford	do	5	25 00
A. C. Steele	do	1	5 00
Reed & Co.	do	5	25 00
John Martin	do	1	5 00
Alexander Stewart	do	2	10 00
John Ritter	do	1	5 00
George Zoeger	do	1	5 00
Robert Rusch	do	2	10 00

NAME OF SHAREHOLDER.	Address.	Number of shares.	Amount of Deposit paid in.
			$ cts.
J. B. Pinkham	Milbank	5	25 00
Joseph Dobson	do	2	10 00
William [illegible]	Mornington	1	5 00
Mclachlin & McWillie	Millbank	5	25 00
Charles Lewis	do	1	5 00
Hugh McDonald	do	1	5 00
O. Philips	Mornington	1	5 00
[illegible] Philpoch	Milbank	1	5 00
[illegible] Stewart	do	1	5 00
James [illegible]	Carthage	2	10 00
Alexander Forsyth	Millbank	1	5 00
Peter Livingstone	do	1	5 00
Robert Porter	do	1	5 00
Robert Forsyth	do	2	10 00
Duncan McLennan	do	2	10 00
George Swarton	do	3	15 00
Charles Benson	do	2	10 00
Joseph Hamilton	Milverton	4	20 00
William Matthews	do	4	20 00
Archibald Kerr [illegible]	do	2	10 00
Christ[illegible] Bray	do	1	5 00
W. M. Watson	do	1	5 00
David Mc[illegible]r	do	1	5 00
Henry Wardle	do	1	5 00
S. Whaley	do	2	10 00
[illegible] Bell	do	3	15 00
[illegible] Dobson	do	1	5 00
[illegible] Dobson	do	1	5 00
Mc[illegible] & Fenwick	do	3	15 00
Levi [illegible]	do	2	10 00
John Pollock	do	1	5 00
Henry Stevens	do	1	5 00
William Livingstone	do	3	15 00
Norman Parker	do	1	5 00
T. F. Stanbroad	Millbank	5	25 00
James Jackson	do	5	25 00
Thos. Masterson	do	1	5 00
S[illegible] Butterfield	do	1	5 00
Alex. McCulloch	do	1	5 00
J. A. Garlick	do	1	5 00
J. B. Parker	do	1	5 00
Gordon Fraser	do	1	5 00
Peter [illegible] McDonald	do	1	5 00
John Kessler	Stratford	5	25 00
J. G. Kirk	do	2	10 00
W. Wa[illegible]	do	2	10 00
A. [illegible]rson	do	2	10 00
James Bartlett	do	2	10 00
A. Anderson	do	2	10 00
Noble Bodley	Milverton	6	30 00
Samuel Gilbert	do	4	20 00
Henry Stapp	do	1	5 00
Charles Stapp	do	1	5 00
Conrad Weilandfer	do	1	5 00
Thomas Eberman	do	1	5 00
James Smyth	do	4	20 00
Samuel [illegible]	do	1	5 00
E. J. Thompson	do	1	5 00
Geo. Doppard	do	3	15 00
Robert Hamilton	do	1	5 00
Henry Kinchbel[illegible]	do	3	15 00
Jacob Bowlsby	do	1	5 00
William Stock	do	4	20 00
George Sparks	do	3	15 00
Augustus Schram, Jr.	do	2	10 00
Conrad Hespeler	do	1	5 00
Valentine Overholtzer	do	5	25 00
J. D. P[illegible]	do	3	15 00
James Mc[illegible]	do	4	20 00
J. L. [illegible]	Stratford	2	10 00
L. [illegible]	do	2	10 00
E. W. [illegible]rton	do	1	5 00
A. [illegible]	do	1	5 00
			0

NAME OF SHAREHOLDER.	Address	Number of Shares.	Amount of Deposit paid on.
			$ cts.
[illegible] Hunter	Clifford	2	10 00
John C. Harris ..	do	1	5 00
James Bear	do	1	5 00
Paul Hochberger	do	1	5 00
George Mathieson	do	1	5 00
W. H. Snow	do	1	5 00
W. Hood	do	2	10 00
John Turner	do	1	5 00
F. Carrol	do	1	5 00
John Gardner	do	2	10 00
Neal Hitchcock	do	1	5 00
William Gibson	Listowel	1	5 00
James Livingston	do	5	25 00
Lewis Bolton	do	1	5 00
R. W. Hermon	do	1	5 00
Freeman, Noxon & Co.	do	1	5 00
John C. Hay	do	1	5 00
D. D. Campbell ..	do	1	5 00
Peter Lynch	do	1	5 00
John Nichol, M. D.	do	1	5 00
D. D. Hay	do	8	40 00
John Hosie	Stratford	2	10 00
Lane, Corcoran	do	20	100 00
Thompson & Young	Listowel	1	5 00
David Roy	do	1	5 00
Bells & Leslie	do	1	5 00
George Zellan	do	1	5 00
Mortenson & Son	do	1	5 00
S. G. Fennell ...	do	1	5 00
W. M. Clemmie ..	do	1	5 00
C. F. Robinson	do	1	5 00
Alex. McCluney	do	1	5 00
Bradley & Clemmie	do	2	10 00
Frances Brown	Clifford	10	50 00
George McDonald	do	10	50 00
Donald McEachern	do	5	25 00
B. Crandell	do	1	20 00
J. H. Dolwage	do	1	20 00
D. McAllison	do	5	25 00
J. S. Dewar	do	2	10 00
John Hillhouse	do	3	15 00
T. Harrison	do	2	10 00
A. S. Allen	do	2	10 00
F. S. Beamer	do	2	10 00
R. M. Walton	do	4	20 00
Frank S. Dodson	do	2	10 00
Andrew Reo	do	2	10 00
F. Beck	do	1	5 00
John Lee	do	2	10 00
Thos. E. Hay	Listowel	2	10 00
Jacob Logee	do	1	5 00
D. D. Hay	do	5	25 00
W. G. Hay	do	5	25 00
D. D. Campbell ...	do	5	25 00
Andrew McIlwraith	do	2	10 00
N. G. Denyers	do	1	5 00
John Zimmerman	do	1	5 00
G. S. Davidson	do	1	5 00
Alex. McKenzie	do	1	5 00
J. A. Hacking	do	1	5 00
George Draper	do	1	5 00
Devlin Bros ..	do	1	5 00
Peter Tyler	do	4	20 00
Lewis Boulton	do	1	5 00
R. W. Hermon	do	1	5 00
J. W. Scott ..	do	6	30 00
Freeman Moxon	do	1	5 00
John Alexander	do	1	5 00
Frances Coleman	do	1	5 00
John Osborn	do	1	5 00
Adam Austin	do	1	5 00
W. [illegible]ald	do	1	5 00
J. S. Hoostead	do	1	5 00

NAME OF SHAREHOLDER.	Address.	Number of Shares.	Amount of Deposit paid in.
			$ cts.
James Trail	Listowel	1	5 00
A. B. Harris	do	2	10 00
		977	$4,885 00

I, Peter Watson, Secretary of the Stratford and Huron Railway Company, certify that the above is a true copy of the Share List of the said Company.

(Signed) P. WATSON,
Secretary.

OFFICE OF STRATFORD AND HURON RAILWAY COMPANY,

Stratford, October 13th, 1874.

Hon. O. MOWAT,
Attorney-General, Province of Ontario.

SIR,—At an interview held at your office at Toronto, on the 24th ult., at which delegates were present representing the different Municipalities interested in the construction of the Stratford and Huron Railway, to urge on you, the claims of our Company for aid from the Railway Fund, I understood you said you would kindly write me in reference thereto, after having presented our Petition to the Lieutenant-Governor in Council, but as yet have not had the honour of a communication.

As the Directors are very desirous of immediately placing under contract the first section of the road—viz., between Stratford and the southern branch of the Wellington, Grey and Bruce Railway, thus forming a connection with this Railway and the Grand Trunk Railway at Stratford—we would feel greatly obliged for an early answer as to the prospects of our obtaining the Government aid asked, more particularly as the bonus voted by the County of Perth, viz., $80,000, will expire, if work is not commenced on the first section previous to the 12th December next, and could not again be carried if allowed to lapse. As our Board will meet on Tuesday next, 22nd inst., you will confer a favour by an early intimation of the intention of the Government regarding our Petition for aid to this important enterprise, which I have no hesitation in saying has strong claims for aid from the Railway Fund, as it will, when built, give railway facilities to a large and important section of the country at present without the advantage of a railway, and also form a short and connecting link between the different railways already constructed.

I have the honour to remain,
Your obedient servant,

S. S. FULLER,
President S. & H. R.

TORONTO, 27th October, 1874.

SIR,—With reference to your letter of the 13th instant, I regret that it is impossible for me to say anything at present in regard to a bonus to your Company, inasmuch as the whole of the Railway Aid Fund and the Railway Subsidy Fund has been already appropriated to other Railways. I was a good deal impressed by the arguments and facts laid before me on behalf of your Company, and if the fund should be enlarged at any future Session of

the Legislature, the claims of your Railway shall receive every consideration ; but it is not probable that any addition can be made to the fund at the approaching Session.

Your obedient servant,
(Signed) O. Mowat.

S. S. Fuller, Esq.,
President Stratford and Huron Railway Company,
Stratford.

Stratford and Huron Railway Company,

Stratford, October 30th, 1874.

Hon. O. Mowat,
Attorney-General, Ontario,
Toronto.

Sir,—I am directed by the President of this Company to acknowledge the receipt of your letter of the 27th inst., and to say that a deputation of this Board are desirous of having a further interview with you on the subject of granting aid to this Company. Will you be kind enough to grant the request, and name as early a day as convenient when you would meet the deputation ?

Your most obedient,
P. Watson,
Secretary.

(Copy.)

Stratford and Huron Railway Company,

Stratford, November 21st, 1874.

Sir,—I have the honour to inform you that the Directors of the Stratford and Huron Railway Company have duly appointed Samuel Rollin Hesson, Esq., of Stratford, to be their Trustee in the Stratford and Huron Railway Municipal Trust, under the provisions of the Statute incorporating this Company. I would further inform you that the Municipalities granting aid by bonus have appointed James Corcoran, Esq., of Stratford, their Trustee in the above-mentioned Trust, in compliance with the said Statute. The Board of Directors respectfully request that the Government will forthwith appoint the third Trustee.

I have the honour to be, Sir,
Your obedient servant,
P. Watson,
Secretary.

Hon. O. Mowat,
Attorney-General, Ontario,
Toronto.

Copy of an Order in Council approved by His Excellency the Lieutenant-Governor the Second day of December, A.D. 1874.

Upon the recommendation of the Hon. Attorney-General, the Committee of Council advise that Alexander Grant, of the Town of Stratford, Esquire, be named and appointed by your Excellency as the Third Trustee to receive from Municipalities the bonuses voted in favour of the Stratford and Huron Railway Company.

Certified, J. G. Scott,
Clerk Executive Council, Ontario.

December 2nd, 1874.

PROVINCIAL SECRETARY'S OFFICE.
Toronto, December 3rd, 1874.

SIR,—I am commanded by His Honor the Lieutenant-Governor to inform you that he has been pleased to appoint you the Third Trustee to receive from the Municipalities the bonuses voted in favour of the Stratford and Huron Railway Company.

I have the honour to be, Sir,
Your obedient servant,
(Signed) I. R. ECKART
Assistant Secretary

Alexander Grant, Esq.,
Stratford.

PROVINCIAL SECRETARY'S OFFICE,
Toronto, December 3rd, 1874.

SIR,—I am commanded by His Honor the Lieutenant-Governor to inform you that he has been pleased to appoint Alexander Grant, of the Town of Stratford, the Third Trustee to receive from Municipalities the bonuses voted in favour of the Stratford and Huron Railway Company.

I have the honour to be, Sir,
Your obedient servant,
Signed I. R. ECKART.
Assistant Secretary

To the Secretary of the Stratford and
Huron Railway Company, Stratford.

(Copy.

STRATFORD, ONT.,
December 22nd, 1874.

DEAR SIR,—As promised, I enclose you the Petition of the Town of Stratford for the confirmation of its by-law granting aid to the Stratford and Huron Railway.

I cannot recollect whether you wished the Petition to be forwarded to the proper officials or to yourself personally, so I adopt the latter course, trusting you will pardon me if it should cause you any trouble.

Your obedient servant,
(Signed) R. SMITH.

The Honourable A. Crooks,
Treasurer, Province of Ontario, Toronto.

To the Honourable the Lieutenant-Governor of the Province of Ontario.

The Humble Petition of the Municipal Council of the Town of Stratford, in the County of Perth,

SHEWETH AS FOLLOWS:

On the Fourteenth day of April, in the year of Our Lord one thousand eight hundred and seventy-three, your Petitioners passed a By law numbered 173, and intituled "A By law to aid and assist the Stratford and Huron Railway Company, by giving thirty thousand dollars by way of bonus to the said Company, and to issue debentures therefor, and to authorize the levying of a special rate for the payment of the said Debentures and the interest thereon."

2. Your Petitioners are aware that the Debentures to be issued under the said By law can be disposed of at a higher price should your Honor sanction an Act confirming the said By-law, and your Petitioners believe that any advantage the said Railway Company may derive therefrom will, in effect, benefit the said Town.

Your Petitioners therefore pray

That your Honor would sanction an Act confirming the said By-law, and declaring the same to be valid and binding.

And your Petitioners, as in duty bound, will ever pray.

(Signed) THOMAS STONLY,
Mayor.

Signed) H. SEWELL,
Town Clerk.

STRATFORD AND HURON RAILWAY CO.,
Stratford, December 13th, 1875.

I. R. ECKART, Esq.,
Assistant Provincial Secretary, Toronto.

DEAR SIR,—I herewith enclose you, as promised, a copy of my letter, handed to the Honourable O. Mowat on Saturday morning, in reference to our application for Government aid to the Stratford and Huron Railway. I also send you, as asked for, a copy of the Town of Stratford By-law, granting $30,000; also copy of the County of Perth By-law, No. 191, granting $80,000 to the Stratford and Huron Railway.

Trusting you will receive these papers in good time,

I have the honour to remain,
Yours respectfully,
(Signed) S. S. FULLER.
Treasurer S. & H. R.

P.S.—I enclose you a letter from the Mayor of Listowel, in reference to the proposed By-law for $10,000, which they will vote at any time.

STRATFORD AND HURON RAILWAY CO.,
Stratford, December 9th, 1875.

The Honourable O. MOWAT,
Attorney-General, Ontario.

The Board of Directors of the Stratford and Huron Railway have instructed me to call your attention to the Petition, List of Stockholders, copies of By-Laws, Engineer's Report, Bank Certificate, and other papers formerly presented to your Government.

They also desire me to furnish you with additional information as to what has been done in connection with the project and its present position.

A survey has been made and a profile of same prepared, from the Town of Stratford to the Village of Wiarton, on the Georgian Bay, a distance of 110 miles, which our Engineers report as a very favourable and feasible line. They also reported that they found the people along the entire line anxious for its speedy construction, and willing to contribute liberal bonuses for the same.

The Township of Normanby, in the County of Grey, without being solicited by us, granted a bonus of $50,000, showing their anxiety to assist the Company, and if possible obtain the benefit of the construction of the Stratford and Huron Railway through their Township, and the advantages of a connection with the Railway system at Stratford.

Other bonuses would have been submitted, and no doubt carried in the Counties of Grey and Bruce for large amounts, but the Directors did not feel justified in urging the people to submit their By-laws, though pressed to do so, until they had completed their

financial schemes in the County of Perth, and obtained the Government Grant for that portion of the line.

Our charter has been amended and such alterations obtained as were deemed advisable in the interest of the Company and the municipalities interested. Our Trustees have been appointed in accordance with the Railway Act, and have expressed their willingness to accept the trust.

The line has been located from Stratford to Milverton, a distance of about fifteen miles, part of the right of way purchased, and a favourable contract let for the grading, clearing and grubbing of this part of the line.

A financial scheme has been completed for the construction and equipment of the line from Stratford to the northern boundary of the County of Perth, through the village of Milverton, and the Town of Listowel, a distance of thirty-one miles, as shown in the annexed schedule.

I beg respectfully to press on you the necessity of the early construction of that portion of the line within the County of Perth, as at present the people north of Stratford have no direct Railway connection with their County Town, but actually travel a distance of 110 miles by rail *via* Guelph to reach Stratford, whereas the construction of the Stratford and Huron Railway would lessen the distance they had to travel by from 80 to 90 miles.

In conclusion, I beg respectfully to urge you to pass an Order in Council granting a subsidy in accordance with our Petition in aid of the Stratford and Huron Railway, or such portion thereof as your Government may consider for the present advisable under the circumstances.

I have the honour to remain,
Yours respectfully,
S. S. FULLER,
President S. & H. R.

(Copy.)

STRATFORD AND HURON RAILWAY CO.

Financial Statement.

Bonus voted by County of Perth	$80,000
" " Town of Stratford	30,000
" Promised by Town of Listowel	10,000
" Grouping By-law petitioned for and now before County Council of Perth, comprised of the following municipalities: Townships of Ellice, Elma, Mornington and Wallace; the Towns of Stratford and Listowel	80,000
Stock subscribed, of which ten per cent. is paid	48,850
Bond issue of $5,000 per mile, guaranteed at 90 cents on the dollar, 31 miles from Stratford to northern boundary line of Perth, $155,000 less ten per cent. discount $15,500	139,500
Expected Government Grant 31 miles at $3,000 per mile	93,000
	$481,350
Estimated cost Engineer's Report annexed to Petition, 31 miles at $13,500	418,500
	$62,850

Leaving a balance of $62,850 for rolling stock, which is considered ample in the view of our connection with the Port Dover and other railways.

(Copy).

LISTOWEL, December 9th, 1875.

SIR,—In reference to your enquiry respecting the practicability of the Town of Listowel granting a bonus of $10,000 to the Stratford and Huron Railway.

The people of Listowel and adjacent country are exceedingly anxious to have railway connection with the county town and the great system of the Dominion, and the Town of Listowel will readily grant the bonus required ($10,000), in addition to their proportion of the county and group bonuses.

Respectfully yours,
D. D. CAMPBELL,
Mayor.

S. S. Fuller, Esq.,
President Stratford and Huron R.R.

SUPPLEMENTARY RETURN

Of Correspondence and Papers relating to the "Stratford and Huron Railway," subsequent to that printed in Sessional Papers, December 20th, 1875.

By Command,

S. C. WOOD,
Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, January 28th, 1876.

(Copy.)

STRATFORD, January 27th, 1876.

The Honourable O. MOWAT,
Attorney-General,
Ontario.

The Board of Directors of the Stratford and Huron Railway have instructed me to state, for your information, that the By-law mentioned in the financial statement of said Company submitted to you, in reference to the first section of said Railway, being 31 miles across the County of Perth, for granting certain municipalities therein, was yesterday refused to be submitted by the County Council of Perth. The charter of said Railway directs that any such By-law shall be submitted on Petition of fifty qualified ratepayers, and the Petition presented to the County Council had over four hundred signatures of such ratepayers, and yet the Council refused to submit the By-law. The Board at once gave instructions to their Solicitors to compel the submission of the By-law, and have no doubt that if the By-law had been submitted, the same would have been carried, and that eventually it will be submitted and carried. In the meantime the Board wish to call your attention to their position without this By-law. They feel confident of the strength of the scheme in its present shape, as shown in the statement hereto annexed, leaving out this By-law. They venture to state that few schemes are in a stronger position, and are confident of their ability to complete the same. They would respectfully urge the granting of the subsidy, as at present the price of labour and materials are such that any delay will materially improve the favourable chance of completing the road. Further, at the present time, all work that can be commenced is a mercy to labouring people, as so many are in actual need of employment.

I have the honour to be,
Your obedient servant,
D. TISDALE,
Vice-President S. & H. R. R.

(Copy.)

FINANCIAL STATEMENT, without grouping By-law put in their previous Statement.

Bonus voted by County of Perth	$80,000
" " Town of Stratford	30,000
Promised by Town of Listowel, by majority of ratepayers	10,000
Stock subscribed and ten per cent paid in	48,850
Bond issue of $5,000 per mile guaranteed at 90 cents in the dollar for 31 miles, less 10 per cent. discount	139,500
Expected Government Grant of $3,000 per mile, 31 miles	93,000
	$401,350
Estimated cost, Engineer's Report, for 31 miles at $13,500	418,500

Deficit for actual construction, $17,150, beside rolling stock, but leaving the right to issue $7,000 per mile more of Bonds to cover this small deficit and rolling stock.

(Copy.)

MONTREAL TELEGRAPH COMPANY,
Toronto, January 27th, 1876.

[By Telegraph from Stratford.]

To D. TISDALE,
Rossin House.

County Council have reversed their decision of yesterday—passed the following resolution: "That the matter be deferred for further consideration by the electors of the interested municipalities; and should the Warden of this County procure such information, he should call a special meeting to submit By-law.

(Signed) "S. S. FULLER."

RETURN

Of Correspondence and Papers relating to the "Trent Valley Rail way," subsequent to that printed in second Sessional Papers, 1874.

By Command,

S. C. WOOD,
Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, December 21st, 1875.

SCHEDULE OF CORRESPONDENCE AND PAPERS RELATING TO TRENT VALLEY RAILWAY.

1874.

Nov. 30th—Memorial signed by John B. Maas, respecting competing lines of Railway.
Petition from *Trent Valley Railway Company*, praying for Government aid.

To the Honourable the Executive Council of the Province of Ontario in Council assembled.

The undersigned begs to represent to your Honourable Council—

That they are largely interested in mining enterprises in North Hastings, as also in East Peterborough, the successful prosecution of which, more particularly iron mining, depends on the connection of this mineral section with Lake Ontario by Railway, and that the whole northern portion of the country will be benefited, and its prosperity materially increased by the building of such a Railroad.

That there are two projected lines of road professing to be able to accomplish this object when built, viz., the North Hastings Railway, commencing at a point on the Grand Junction Railway north of Belleville, and running through and beyond Madoc Village, and the line known as the Trenton Valley, running from the harbour of Weller's Bay, on Lake Ontario, to some point in the Township of Marmora, with power of extension through the Townships of Belmont and Methuen.

We beg to submit the following memorandum in respect to these two competing lines:

1st. That the Trenton Valley Road will run through that section of country where the most iron has been found, and the most extensive deposits are situated, namely, the west portion of the Township of Madoc, the Township of Marmora, and the adjacent Townships of Belmont, Lake, Methuen and Tudor.

2nd. Weller's Bay, the Lake terminus of the Trenton Valley road, is a splendid harbour, and offers the very best facilities for shipment, especially in comparison with the Port of Belle

ville, from which cargoes have to be run down near to Kingston before gaining the Lake, causing great detention and extra expense when large and continuous shipments are made.

3rd. The route of the Trenton Valley for twenty miles is as level as a prairie, and over a limestone bottom.

4th. The principal reason that has led to these Railways being projected is the necessity of having some means for transporting iron and other ore to Lake Ontario, and bringing in supplies to the mines now in operation, and those which will commence work on the construction of the road. On account of the country not being suited to agricultural purposes the miners will purchase and consume all the produce that may be raised, and will require in addition large supplies from other sources, so that the farmers do not require a road for the transportation of what they grow. If, then, the Railway is to be looked upon as an outlet for this mining district, the route running through it, as affording the most direct facilities for transportation, is the one to be chosen. The Trenton Valley in this respect is a direct line, and it also passes near to the Lithographic Stone Works, as also the gold bearing quartz section, when, if built, it would at once be utilized, as it would be highly profitable, to send large quantities of this ore for reduction to Swansea, Wales: while the North Hastings road only connects with the Seymour mine, which is an isolated deposit of iron of no large extent, on the east side of the Township of Madoc.

5th. Whichever line of road is approved of by your Honourable Body, and secures a grant of the usual bonus, will be the project carried out. We, therefore, humbly suggest to your consideration the propriety of sending some person or persons skilled and experienced in Railway affairs to go over the line of route of both roads, and report to your Council as to the result of their deliberations which is the more desirable for the country and which, at the same time, will most subserve the wants of the iron and other mining undertakings of this district: and that such report be considered by your Honourable body before any determination may be arrived at as to which line will be aided by the Government, feeling assured that this course will meet with general approbation and approval.

6. That a railway cannot be built without Government assistance, and that if a grant is given to a road, it should be done with a view to its special adaptation to serve the wants of a mineral section, and as a pioneer line to aid in creating a new and valuable industry in the country.

7. That these Railway schemes may be judged on their individual merits, and especially the suitability of the harbour accommodation and situation of their terminus on Lake Ontario, with reference to the shipment of large quantities of ore and the receipt of return cargoes.

8. Your Company is the first that has carried on the business of mining in an extensive and legitimate manner in this section, and have based their purchases solely on the merits of the mineral deposits, paying no attention to locality, at the same time relying on the promises made by individual members of your Council, that Government assistance should be given to a line of Railway into this part, and trust that their expectations in this respect may be realized.

9. That your Petitioners are prepared to build the Trent Valley Road in order to possess proper business facilities to work their iron mines in an extensive manner, and it is their intention to apply to be permitted to construct an easterly branch to the said contemplated line of road to extend from the Township of Tudor, through Lake into the Township of Marmora, and from thence to the Grand Junction Railway connecting thereby with the Town of Belleville, and are anxious that your Honourable body should give this project a fair consideration.

10. They are anxious to commence the building of their smelting furnaces at once, and wish if possible to have them constructed in reasonable proximity to this line of road, and are satisfied that others will engage in mining operations so soon as railway facilities are established, thus adding greatly to the resources and wealth of the country. Viewed in this respect, it is of the utmost importance that the route of the Railway decided on, should tap the mineral section and afford ready access thereto, as well as a short route from thence to Lake Ontario.

11th. Your Petitioners submit that if the North Hastings project be carried out, it will serve as an outlet to a comparatively small section, and only afford a connection with the Town of Belleville, while the Trent Valley and its easterly branch will open the Counties of

North Hastings and East Peterborough, at the same time connecting by means of the Grand Junction with the Town and Port of Belleville, as well as with Weller's Bay.

12th. Your Petitioners cannot urge too strongly on the attention of the Government the necessity of sending competent engineers to report on the best Railway outlet for this section, as well as employing scientific men to report on the mineral resources of the different localities, before committing themselves to assist any projected line of road, and further pray that your Petitioners may be heard before anything definite be determined on in the shape of a Government grant in aid of the construction of the North Hastings Railway.

(Signed) JOHN B. MASS,
Mining and Manufacturing Co.

Madoc, 30th Nov., 1874.

To His Excellency the Honourable JOHN CRAWFORD, *Lieutenant-Governor of the Province of Ontario, in Council.*

The Petition of the Trent Valley Railway Company

HUMBLY SHEWETH:

1st. That they have made surveys and plans of their road.

2nd. That the full amount of the stock authorized by their charter has been taken up.

3rd. That they have bonuses granted to their road, as follows:

Village of Trenton	$30,000
County of Hastings	25,400

4th. That they expect and have good reason to believe that if the construction of their road is commenced, they will have further assistance by way of local bonuses.

5th. That their road will be an important outlet to certain sections of the back country, particularly for iron ore that may be required for smelting purposes at Trenton or Weller's Bay, or for the purpose of shipping west to supply furnaces in the United States.

6th. That their road intersects valuable water powers.

7th. That the easy grades of their road south warrants them in believing that of necessity they must attract to it important lumber and other interests.

8th. That the promoters of their road who have taken stock in the Company are men largely interested in getting iron ore.

9th. That in consequence of the above enumerated interests the Trent Valley Railway must become one of the most important lines of Railway in Ontario, and has claims upon the Government that we fully believe will not be ignored.

Your Petitioners therefore humbly pray that your Government will take into consideration the claims above set forth, and grant the Trent Valley Railway Company such aid as the justness of their claims demands.

And as in duty bound they will ever pray.

Trenton, December 1st, 1874.

J. F. WAY, President, T. V. R. R. and 93 others.

SUPPLEMENTARY RETURN

Of Correspondence relating to the "Trent Valley Railway," subsequent to that printed in Sessional Papers, 21st December, 1875.

By Command,

S. C. WOOD,
Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, January 22nd 1876.

To His Excellency the Honourable D. A. MACDONALD, *Lieutenant-Governor of Ontario, in Council.*

Your Memorialists, the Trent Valley Railway Company,

RESPECTFULLY REPRESENT:—

That in 1873 the Trent Valley Railway Company obtained a charter from the Legislature of Ontario, to construct a Railway from Weller's Bay, on Lake Ontario, to the iron mines in the Township of Belmont.

That subsequently very large iron deposits have been discovered in the Townships of Marmora and Madoc, with immediate prospects of large iron mining operations being carried on in these Townships, we found it desirable to get our charter amended to enable us to reach our mines in Marmora and Madoc.

That in 1875 we obtained the necessary amendments to our charter to enable us to reach the numerous mines in these Townships.

That the first division of our Railway, from Weller's Bay to Stirling, is 22 miles, on which we ask assistance from the Ontario Government.

That our financial basis is as follows, viz.:—Stock taken, $50,000, with ten per cent. paid up, and $30,000 more called for by the same parties, which they are ready to take at any time.

That the Village of Trenton has passed a by-law for $30,000 in aid of the Trent Valley Railway.

That we are promised further municipal aid to the amount of $50,000, which local reasons delayed submitting the by-laws for.

That we have reasons to believe, and do believe that in consideration of the great advantages to be attained by opening up communication between a lake port and the iron mines, that the Government will aid us to the extent of $4,000 per mile on our first division of 22 miles, so that our financial basis will stand as follows, viz.:—

Stock	$80,000
Trenton by-law	30,000
Expected municipal aid	50,000

Government aid	88,000
	$248,000
Cost of road—per mile, $15,000—22 miles	330,000
To be provided	$82,000

That the stockholders of the Trent Valley Railway are American capitalists, largely engaged in the manufacture of iron. That they do not ask aid to enable them to construct the road; that they only want a guarantee that they will receive the above amount of municipal aid, in accordance with the provisions of the several by-laws, and the Government aid when the road shall have been constructed in accordance with the requirements of the Government.

That a Lake Port convenient to the County of Hastings is indispensably necessary for the full development of the iron mines of North Hastings, to enable miners to ship their ores to the markets of Western New York, Pennsylvania and Ohio, and to enable manufacturers to bring back coal as return freight to enable them to manufacture iron in this country, of which we have a promise, will be commenced at Weller's Bay as soon as the Trent Railway is opened to that place.

That we commenced the construction of our road in September and continued the work until the ground froze up, and that the work was paid for by the stockholders without drawing upon the ten per cent. deposited in the Bank or the Trenton bonus.

Signed in behalf of the Company,

(Signed) J. F. Way,
President.

Toronto, 21st January, 1876.

RETURN

Of Correspondence and Papers relating to the "Toronto, Grey and Bruce Railway," subsequent to that printed in Sessional Papers, 1874.

By Command,

S. C. WOOD,
Secretary.

Provincial Secretary's Office,
Toronto, December 28th, 1875.

SCHEDULE OF CORRESPONDENCE AND PAPERS RELATING TO THE "TORONTO, GREY AND BRUCE RAILWAY."

1874.

Petition of the Municipal Council of the Township of Howick, praying that further aid may be granted to the Toronto, Grey and Bruce Railway Company.

Memo. of divers Members of the Legislature to the Honourable the Attorney-General.

Petition of divers lumbermen to the Legislative Assembly, praying that further aid be granted to the Company.

March 27th.—Letter from the President of the Company to the Provincial Secretary.
" 30th.—Letter from the Assistant-Secretary to the President of the Company.
" 31st.—Letter from the President of the Company to the Provincial Secretary.
April 1st.—Letter from the Assistant-Secretary to the President of the Company.
" 16th.—Letter from the Secretary of the Company to the Provincial Secretary
" 17th.—Letter from the Assistant-Secretary to the President of the Company.
" 18th.—Letter from the Assistant-Secretary to the Secretary of the Company.

Memo. of certified copy of a Resolution passed by Council of Township of Culross on 28th April, 1874.

Memo. of Resolution of the Council of the Township of Howick.

Petition of the Township of Culross to His Excellency the Lieutenant-Governor in Council.

May 13th.—Letter from the Reeves of Howick and Culross to the Honourable the Attorney-General.
June 2nd.—Letter from J. G. Scott, Attorney-General's Office, to the Solicitor of the Company.
" 11th.—Letter from the Vice-President of the Company to the Provincial Secretary.
" 19th.—Letter from the Assistant-Secretary to the President of the Company.
" 20th.—Letter from the Vice-President of the Company to the Provincial Secretary.
July 3rd.—Letter from the Secretary of the Company to the Provincial Secretary, enclosing copy of a Resolution passed by the Board of Directors on the 18th June, 1874.
" 14th.—Letter from the Secretary of the Company to the Provincial Secretary.
" 17th.—Letter from the Assistant-Secretary to the Secretary of the Company, enclosing draft of the agreement with reference to the Luther Station, as approved by the Attorney-General, &c., &c.
" 29th Letter from Messrs. Cameron, McMichael and Hoskins, to the Provincial Secretary, enclosing copies of assignment from the Company to Messrs. T. and J. Robinson, of the Government Grant in respect of the portion of the road between Harriston and Teeswater, and an assignment from the Messrs. Robinson to Messrs. Rice Lewis & Son.
" 30th.—Letter from the Assistant-Secretary to the Secretary of the Company, enclosing copy of an Order in Council of the 27th July.
Sept. 3rd.—Letter from the Manager of the Ontario Bank, Mount Forest, to the Provincial Secretary.
" 17th.—Letter from the Solicitor of the Company to the Provincial Secretary, enclosing original contract between Francis Shanly and the Company.
" 24th.—Copy of an Order in Council.
Dec. 9th.— Do do do.
" 16th.—Letter from the Secretary of the Company to the Provincial Secretary.
" 31st.—Memo. of Government Grant to the Company.
1875.
June 23rd.—Memo. of Receipts and Expenditure.
Sept. 9th.—Letter from the Secretary of the Company to the Provincial Secretary.
Oct. 27th.—Copy of an Order in Council.
Nov. 5th.—Memo. of Government Grant to the Company.
Dec. 1st.—Letter from the President of the Company to the Provincial Secretary.
" 17th.—Letter from the General Manager of the Company to the Provincial Secretary, enclosing original contract marked (A); two letters marked (B) and (C); notice served on the contractors, marked (D); two resolutions, marked (E) and (F); letter marked (G), from the Secretary of the Company to F. Shanly, authorizing him to take over the plant and rolling stock, &c.; certificates marked (H) and (I) of the Chief Engineer, and letter from the Chief Engineer to the President and Directors, dated 25th October, 1871.
" 28th.—Letter from the General Manager of the Company to the Honourable the Attorney-General, enclosing copy of a Report made by A. W. Schwieger as to the condition of the line, and a statement showing the present financial position of the Company, and Revenue Account of receipts and expenditure.

To Hon. Oliver Mowat,
Attorney-General,
Ontario.

The Humble Petition of the Municipal Council of the Township of Howick, in the County of Huron,

Humbly Sheweth :

That your Petitioners being aware that the Toronto, Grey and Bruce Railroad Company has applied to the Government for additional aid to enable them to complete their various works in accordance with agreements made with Municipalities, would respectfully set forth the following reasons why we think the Government should comply with their application :—

1st. That when the Company entered into an engagement to build the Bruce Extension, it was understood that the Company would receive $3,000 per mile from the Government for the Owen Sound Branch, instead of which they have received only $2,000 per mile ;

2nd. That the Company has subscribed stock to the amount of about $275,000, and the City of Toronto has granted them a bonus of $250,000 to aid the enterprise ;

3rd. That the Townships of Minto, in the County of Wellington, Howick and Turnberry, in the County of Huron, and Culross, in the County of Bruce, although all of them already seriously burdened to assist the "Wellington, Grey and Bruce," felt the necessity for increased railway facilities so urgent, that they gave a further sum of $103,000 to enable the "Toronto, Grey and Bruce Railway Company" to reach Teeswater, in Culross. The sums contributed by these municipalities alone to the "Wellington, Grey and Bruce Railway" and the Toronto, Grey and Bruce Railway Companies are as follows :—

Bonus to "Wellington, Grey and Bruce Railway Company :"

Minto	$65,000	
Howick	20,000	
Culross share of Co. Bonus	20,000	
		105,000

Bonus to "Toronto, Grey and Bruce Railway Company :"

Minto	$15,000	
Howick	35,000	
Section of Howick, additional	5,000	
Turnberry, sectional	5,000	
Culross	38,000	
Teeswater Village	5,000	
		103,000
Total bonus to both Railways		$208,000

If, by the Government withholding the aid asked, the "Toronto, Grey and Bruce Railroad Company" should be unable to complete their road into Bruce, a great portion of which is already graded, or seriously delay its construction, it must be obvious that a very serious loss would be caused to these municipalities, and the money expended be thrown away, as the moneys paid could not be easily recovered, and we would still be without the marketing facilities for our produce for which we have paid.

4th. That the "Toronto, Grey and Bruce Railroad Company," having built by their own means and the municipal bonuses the road from Weston to Orangeville, and having as yet received no aid from the Railway Fund, we deem them justly entitled to at least $2,000 per mile for that portion of their road, as less than that would scarcely place them on an equal position with railways in other parts of the Province similarly aided.

5th. That as the result of the delay and uncertainty of the negotiation between the Government and the "Toronto, Grey and Bruce Railroad Company," the Company have

suffered loss to a serious extent in the greatly increased price of iron, which is a large item in railway building, and also the enhanced price of labour, which is about twenty per cent. ; and the Company in consequence being unable to finish the road according to agreement, your petitioners have suffered and are suffering very serious loss.

For the reasons above recited, your Petitioners would respectfully pray that you would grant them the assistance they have already been asking from you, as we believe that, without this assistance, they will be unable to finish and equip their works as the necessities of the country require.

And as in duty bound, your Petitioners will ever pray.

(Signed) JAMES PERKINS,
Reeve.

(Signed) ALEX. L. GIBSON,
Deputy Reeve.

Howick, March the 11th, 1874.

(Signed) DAVID WEIR,
Deputy Reeve.

WILLIAM DANE,
Township Clerk.

(Signed) GEORGE GREY,
Councillor.

(Signed) JOHN EVANS,
Councillor.

(Copy)

To the Honourable OLIVER MOWAT,
Attorney-General and Premier of the Province of Ontario.

We the undersigned Members of the Legislative Assembly, representing constituencies interested in and benefited by the "Toronto, Grey and Bruce Railway," most respectfully represent that we are credibly informed by the President of the Company, and believe that the said Company is in very embarrassed circumstances, and unless additional Government aid be extended to it, it will fail to complete its line into the County of Bruce, and to meet the interest on its Bonds falling due. That these Bonds are largely held in England, and by the failure of the Company to complete its line and to meet its obligations, a serious blow will be given to the credit of such enterprises, and thereby incalculable injury will be done to this country. That we are informed that this Company had reason to expect a larger assistance from the Government of Ontario than two thousand dollars a mile, and we would earnestly request you to take their case into your most favourable consideration, and provide them with the means for which they have prayed, to prevent the stoppage of their work, and the injurious effect their failing to meet their obligations will have upon the country, and which there is no means of avoiding without additional Government aid.

We are, Sir,
Your obedient servants,

(Signed) M. C. CAMERON,
(Signed) THOMAS GIBSON,
(Signed) THOMAS SCOTT,
(Signed) A. W. LAUDER,
(Signed) JOHN McGOWAN,
(Signed) K. CHISHOLM,
(Signed) GEORGE McMANUS,
(Signed) CHARLES CLARKE,
(Signed) R. M. WELLS,
(Signed) P. PATTERSON.

(Copy.)

To the Honourable the Speaker of the Legislature of the Province of Ontario and the Parliament now assembled :

The Petition of the undersigned Lumbermen

HUMBLY SHEWETH :

1. That we, the undersigned Lumbermen operating along the lines of the "Toronto, Grey and Bruce Railway Company," learn with alarm that owing to financial difficulties of said Railway Company, there is a strong probability of the Rolling Stock of this Road passing into other hands.

2. That we understand that the President and Directors of this Company have been expecting aid from your honourable body, and that without such aid it will be impossible to carry on the business of said Road.

3. That your Petitioners have expended large sums of money in getting out timber for the Quebec market along the line of this Road, and have now lying and awaiting shipment, perishable property amounting to at least $300,000.

4. That this timber is of a species that will become almost worthless if allowed to remain long exposed to the heat of summer.

5. That the bulk of it has been contracted for to be delivered in Quebec early in the summer, and also that the pecuniary loss to ourselves, arising from the non-fulfilment of our contracts, will be very great indeed.

6. That we are acquainted with the districts through which said Road passes, and are aware of the great disadvantage under which said road is labouring for want of the anticipated aid from the Government, and also of the great engineering difficulties that this Company have had to contend with in the construction of their Road.

7. That we are aware of the great benefits which it has conferred upon those settlers living in the districts through which it passes, that it has increased the value of all lands remaining in the hands of the Crown and it has enabled many settlers to obtain patents for their lands which they could not have done otherwise.

8. Your Petitioners therefore humbly trust and pray that you will see the necessity of granting to this Company such aid as will enable them to continue in operation. And your Petitioners as in duty bound will ever pray.

James Norris, M. P.	Q. G. Grant,
M. Reed,	Burton & Bro.
A. Wilson,	Walsh & McAuley,
Robt. W. Perry,	O. F. Wright,
McArthur Bros.,	A. Gunne,
J. B. Pearce & Co.,	J. L. Burton,
Thomas Crundle,	J. B. Wilber,
John Melandress,	Edsall & Smith.

(Copy.)

THE TORONTO, GREY & BRUCE RAILWAY,

President's Office, Toronto, 27th March, 1874.

Honourable C. F. FRASER,
Provincial Secretary of Ontario.

SIR,—Having seen by the reports of the proceedings of the House of Assembly, that a resolution had passed, authorizing aid to be given to the Toronto, Grey & Bruce Railway Company, I take the liberty of informing you that, in regard to the section of the

line from Orangeville to Owen Sound, on which aid was given to the extent of $1,000 per mile, the works are now in full running order; and the Company being at present in considerable financial difficulties, the Directors are most anxious to obtain, as early as possible, the subsidy due on that section. Will you, therefore, be good enough to inform me, at your earliest convenience, when the Government can make it convenient to pay the money to the Company.

I have the honour to be, Sir,
Your obedient servant,

(Signed) JOHN GORDON,
President.

PROVINCIAL SECRETARY'S OFFICE,
Toronto, 30th March, 1874.

SIR.—Referring to your communication of the 27th instant, I have to refer you to the Order in Council approved of by His Excellency the Lieutenant Governor the 17th day of March, 1874 (a copy of which is herewith enclosed), granting aid to the "Toronto, Grey and Bruce Railway Company," by which you will observe that payment of the amount indicated cannot be made until the conditions therein stipulated have been fulfilled.

I have the honour to be, Sir,
Your obedient servant,

(Signed) I. R. ECKART,
Assistant Secretary.

John Gordon, Esq.,
President Toronto, Grey and Bruce Railway,
Toronto.

(Copy.)

THE TORONTO, GREY AND BRUCE RAILWAY,
President's Office, Toronto, 31st March, 1874.

To the Hon. the Provincial Secretary of Ontario.

SIR.—In reply to your letter of yesterday, with copy of Order in Council attached, I beg to state that the general interpretation put upon the wording of the Order is, that if the Government is fully satisfied, on or before 1st July, that the road between Orangeville and Owen Sound is completely finished and equipped, the Company is entitled to have the $1,000 per mile voted to them on that section paid at once, or as soon as the Government is satisfied that said section is finished. Should there be any doubt on the part of the Government as to the line to Owen Sound being finished and equipped, I have to request that a second inspection of the same be made by the Government Engineer at as early a day as may be possible.

I shall be obliged by your informing me, as early as possible, if the interpretation put upon the Order in Council, as stated in this letter, is correct, as it is of the utmost importance to the Company to know at once in what position they stand in regard to the Government aid.

I have the honour to be, Sir,
Your obedient servant,

JNO. GORDON,
President.

(Copy.)

PROVINCIAL SECRETARY'S OFFICE,
Toronto, 1st April, 1874.

SIR,—I have the honour to acknowledge the receipt of your letter of the 31st ultimo, and beg to refer you to the conditions of the Order in Council of 17th March, 1874, which are: firstly, that the line between Harriston and Teeswater be completely finished by the 1st September next for the conveyance of traffic; and secondly, that the line between Orangeville and Owen Sound should be similarly completed. These two conditions apply equally to the grant of aid in respect of the increase on the mileage betwen Orangeville and Owen Sound, and also to the line between Harriston and Teeswater.

I have the honour to be, Sir,
Your obedient servant,
I. R. ECKART,
Assistant Secretary.

John Gordon, Esq.,
President,
Toronto, Grey and Bruce Railway,
Toronto.

(Copy.)

THE TORONTO, GREY AND BRUCE RAILWAY,
Toronto, 16th April, 1874.

To the Hon. the Provincial Secretary of Ontario.

SIR,—I am requested by the Board of Directors of the Toronto, Grey and Bruce Railway Company to acknowledge receipt of your letter of the 1st instant.

The Board cannot but express its astonishment at the interpretation put upon the Orders in Council by the Government, more particularly taking in view the statements made on the 22nd January by the Hon. the Provincial Treasurer to the deputation appointed by the creditors of the Company, to wait, along with the Board, on the Government, when the Treasurer gave the deputation to understand that the Government would recommend the granting of a subsidy to the Company of $1,000 per mile from Weston to Orangeville, and $1,000 per mile from Orangeville to Owen Sound. Believing that at least this sum would be forthcoming, the Board advised the creditors of the Company that, as far as the amount stated would extend, they would soon be paid. The Board now, by the action of the Government, finds itself totally unable to fulfil its promises, and is placed in circumstances of great financial difficulty, while the contractors find themselves threatened with ruin.

Now, apart from the promise of the Hon. the Provincial Treasurer above referred to, the Board felt its claim to the extra subsidy to be so strong, on grounds repeatedly referred to in former communications, that they were emboldened to persuade their contractors to finish the works on the Grey Extension, even although the Company was at the time without funds, or the prospect of obtaining any, except from the Government, and the directors now find themselves placed in a false position towards these contractors. This Company maintains that it is not in accordance with the spirit of the legislation of past sessions, by which other companies are allowed to draw their subsidies on completion of each section of twenty miles, to make the payment of what is properly due on completion of the Grey Extension contingent upon work being done in another part of the country; and the Board must again remind the Government that the works on the Grey Extension have been constructed during a time when wages and material ruled higher than for many years before in Canada, and that the contractors, even if they were paid the amounts due to them, must in any case suffer heavy losses on their various contracts.

With these facts before the Government, the Board ventures to hope that the amount of subsidy applicable to the mileage on the Grey Extension will be paid now, and the Company be thus enabled to discharge, in a measure, its obligations to its creditors. Should a contrary course be determined upon, the consequences to the Company will not only be most disastrous, but the Board must reluctantly believe that the legislation as regards this Company has been exceptional in its character, and that the Company, after having expended nearly $2,000 per mile of private means in the enterprise, which now possesses no value, is to be allowed to sink.

If the Government adheres to the views advanced in your communication of the 1st instant, and no further aid be granted, the Board sees no alternative, having no means or credit, but to abandon the building of the Bruce Extension.

I have the honour to be, Sir,

Your obedient servant,

(Signed) W. Sutherland Taylor,

Secretary-Treasurer.

(Copy).

Provincial Secretary's Office,
Toronto, 17th April, 1874.

Sir,—I have the honour to acknowledge the receipt of your letter of the 16th inst., and to state, in reply, that the Government, throughout its consideration of the application of your Company for aid, had but one understanding, viz, that the Bruce Extension should be fully completed, and the expectations of the Municipalities who have contributed bonuses to that Branch should be realized. It never was the intention to have given the additional aid to the Owen Sound Branch, if it had not been necessary to do so in order to place the Company in a position by which the construction of the Bruce Extension could be reasonably secured.

The Government always expressed its policy as in no way influenced by the claims of creditors or of the proprietors, but solely to prevent disappointment to the ratepayers of the Municipalities which incurred large debts upon the understanding that they would enjoy Railway facilities as an equivalent; and if your directors are placed in, as you term it, a false position in regard to creditors, the Government is in no way responsible.

The policy of the Government in connection with the increased aid to your Company has been based solely upon the consideration referred to in respect to the Municipalities, and if it were not in regard to their position the Government would not have been justified in asking the Legislature to approve of an increase of mileage rate to your Company, which was exceptional and has provoked discussions with other Companies who also sought increases which could not be recommended. The Government is not responsible for any course which your Board chooses to adopt. With the additional means placed by the Order in Council at its disposal, for securing the construction of the Bruce Extension, there should be no practical difficulty in the way of this being accomplished.

I have the honour to be, Sir,

Your obedient servant,

I. R. Eckart,

Assistant Secretary.

John Gordon, Esq.
President Toronto, Grey and Bruce Railway Co.

(Copy.)

Provincial Secretary's Office,
Toronto, 18th April, 1874.

Sir,—I am directed to call the attention of your Board of Directors to the subject of the station in the Township of Luther, which the Township Municipality represents to

the Government that it is the intention of your Company to close after the 1st proximo. It was stated in the House of Assembly last Session, by a member of the Government, on the motion for the confirmation of the Order in Council in aid of your Railway, that station facilities would be required by the Government before making payment for the amount of aid, and although the position of Luther to your Company is different from that of other Municipalities, yet the people of that Township are justly entitled to the same station facilities as are afforded to other points on your line, and the Government feels that it is bound to see that they are not deprived of them if your Company is to claim the benefit of the Order in Council.

I have the honour to be, Sir,
Your obedient servant,
I. R. ECKART.
Assistant Secretary.

W. S. Taylor, Esq.,
Secretary,
Toronto, Grey & Bruce Railway Company.

(Copy.)

Moved by W. Scott, seconded by James Fraser:

That this Council is of opinion that, in reference to the Order in Council, ratified by the Legislature of Ontario, on the 21st March last, it would be to the interest of this Municipality if the Government would pay the "Toronto, Grey and Bruce Railway Company" the grant for their line from Orangeville to Owen Sound, upon the Company depositing their first mortgage bonds with the Provincial Treasurer or one of the chartered banks of the Province, in trust to the amount of said grant as security for the several bonuses of the Townships of Culross, Howick and Turnberry for the due completion of said Railway to Teeswater. Carried unanimously.

I certify that the above is a true copy of a resolution adopted by the Council of the Township of Culross, at a meeting held the 28th day of April, 1874, at the Town Hall, Teeswater.

(Signed) JOHN MARSHALL,
Clerk of Culross.

[L. S.]

(Copy.)

Moved by Mr. Alexander L. Gibson, seconded by Mr. David Weir, and

Resolved,—That this Council is of the opinion, in reference to the Order in Council ratified by the Legislature of Ontario, on the 21st of March last, that it would be to the interest of this municipality if the Government would pay the "Toronto Grey and Bruce Railway Company" the grant for their line from Orangeville to Owen Sound, upon the Company depositing their first mortgage bonds with the Provincial Treasurer, to the amount of said grant, in trust, as security for the several bonuses of the Townships of Howick, Turnberry, and Culross, said bonds to be handed to each township if the road is not completed to Teeswater by the first of September, in conformity with the Order in Council referred to, *pro rata* in proportion to the amount of their bonuses, which are as follows:—

Howick Township ..	$40,000 00	
Turnberry sectional ..	5,000 00	..... $88,000
Culross	43,000 00	

(Signed) JAMES PERKINS, [L. S.]
Reeve of Howick.

Gorrie, April the 29th, 1874.

(Signed) WILLIAM DANE,
Township Clerk.

(Copy.)

To the Honourable the Lieutenant-Governor of Ontario in Council.

The Petition of the Township of Culross

HUMBLY SHEWETH:

That your Petitioners granted a bonus of $43,000 to aid the "Toronto, Grey and Bruce Railway" to Teeswater, in the County of Bruce, and the debentures of said township have been sold and realized upon, according to said Company's Act. The Legislature of Ontario granted $2,000 per mile to said railway from Orangeville, but owing to the increased price of labour and iron, and the great cost of building the Grey Branch to Owen Sound, the Company are absolutely in need of farther aid from the Government, to enable them to carry out their agreement with your Petitioners in good faith. The apparent advantages of a competing line of railway into the County of Bruce has been favourably viewed by the Government. The oppressive railway tariffs of any one company would be a direct and grievous tax upon the people. This would be to the tax-payers of this section increased to a far greater and more serious extent, were your Petitioners forced also to pay $43,000 for the "Toronto, Grey and Bruce Railway," and be deprived of its advantages. Realizing the difficulty of making additional grants, your Petitioners pray that the completion of this line to Teeswater may be secured to them in such manner as will not increase their hardships.

And as in duty bound, your Petitioners will ever pray.

(Signed) GEORGE MCKIBBON, [L. S.]
Reeve.

(Signed) JOHN MARSHALL,
Township Clerk,
Culross.

(Copy.)

TORONTO, 13th May, 1874.

Hon. ATTORNEY-GENERAL MOWAT.

SIR,—We have met the Board of the "Toronto, Grey and Bruce Railway" to-day, and have been given to understand that, unless the Government Grant from Orangeville to Owen Sound is paid in cash, the Company refuse to finish the Bruce Extension. The Hon. Mr. Crooks has intimated that the grant should be per annum allowance, which the Company object to as likely to be unavailable in now assisting them. The bonuses of the Townships of Howick, Culross and part of Turnberry have been expended by the Company in grading the road, and the delay and non completion is a source of great hardship to those Townships. If you could advise that the aid from Orangeville to Owen Sound would be paid in cash, in September, it is our opinion that the Company could negotiate for the money and proceed with the works to Teeswater immediately. If a favourable decision is not given, the season will be so far advanced that the road cannot be completed this year.

The Company complain that they have received a letter from the Government requesting the Company not to close the Luther station, with which they cannot comply, and we don't think we should suffer for Luther that never paid their bonus, and we respectfully suggest that the Company be informed that the demands of said letter will not be insisted upon.

We proposed laying the matter personally before you, but as you and Hon. Mr.

Crooks were both absent we trust this will be sufficient to receive your favourable and early consideration.

We remain,
Your obedient servants,
JAMES PERKINS,
Reeve of Howick.
GEO. McKIBBON,
Reeve of Culross.

(Copy.)

ATTORNEY-GENERAL'S DEPARTMENT, ONTARIO,
Toronto, 2nd June, 1874.

MY DEAR SIR,—The Attorney-General instructs me to say that the further aid granted during the recent session to the "Toronto, Grey and Bruce Railway," will be evidenced by a debenture of the Province in a form similar, as near as may be, to that of the debentures formerly issued by the late Province of Canada.

Your obedient servant,
(Signed) J. G. SCOTT.

R. M. Wells, Esq.,
Solicitor, Toronto, Grey and Bruce Railway, Toronto.

(Copy.)

THE TORONTO, GREY & BRUCE RAILWAY,
Toronto, 11th June, 1874.

To the Honourable the Provincial Secretary of Ontario.

SIR,—I am requested to inform you that the Board of Directors of this Company having had under consideration the possibility of finishing the Bruce Extension, have had an offer for the construction of the road from a firm of contractors, provided that an extension of time beyond that named in the Orders in Council be granted to the Company to finish, say to the 31st day of December, 1874. Will you kindly let us know:

1st. Whether such an extension of time will meet with the support of the Government, the Municipalities interested having already officially consented.

2nd. Whether the Government would recognise an assignment of the grant to such parties as it may be necessary to negotiate with, subject to the terms of the Order, with the proposed extension of time.

3rd. The contractors specially called the attention of the Board to a letter received from the Government bearing date 18th April, 1874, referring to station accommodation in the Township of Luther, and state that it is impossible for them to negotiate for means to enable them to complete the Road with such conditions attached to the grant.

Will you kindly inform us in what shape the Government will put this, so as to enable the Company and the contractors to proceed with the work.

I have the honour to be, Sir,
Your obedient servant,
(Signed) W. RAMSAY,
Vice-President.

(Copy.)

PROVINCIAL SECRETARY'S OFFICE,
Toronto, 19th June, 1874.

SIR,—With reference to your communication of the 11th instant, I am directed to inform you that the Government will submit, for the approval of his Excellency the Lieutenant Governor, an Order in Council, extending the time for the construction of the Bruce Extension, as desired. This Order will, however, be inoperative till ratified by the Legislative Assembly. With respect to an assignment of the Order in Council, the Government will facilitate the objects of the parties by making the payments through any one of the banks that may be designated for that purpose.

With respect to a station in Luther, I am to say, that in case the Company enter into an agreement, under seal, for establishing another station in that township, to the satisfaction of the Government—in the event of that township granting a bonus to the "Toronto, Grey and Bruce Railway Company," of $20,000, or such sum as the Government may approve (it not being less than $15,000), the Government will not insist on the building and establishing of such station prior to the payment of the moneys authorized to be paid under the Order in Council of 17th March last.

I have the honour to be, Sir,
Your obedient servant,
(Signed) I. R. ECKART,
Assistant Secretary.

John Gordon, Esq.,
President Toronto, Grey and Bruce Railway Company,
Toronto.

(Copy.)

THE TORONTO, GREY AND BRUCE RAILWAY,
Toronto, 20th June, 1874.

To the Honourable the Provincial Secretary of Ontario.

SIR,—I beg to acknowledge the receipt of your communication of 19th instant.

Everything has now been arranged for the finishing of the Bruce Extension; but before signing the contract, the contractors think it necessary that the Government should now formally accept the Grey Extension as finished. The line to Owen Sound has been completed and in running order since September, 1873. The stations are all built, and trains are regularly running over the road. Of this fact, the Government was notified on 27th March, 1874.

An early reply, with an acknowledgment that the Government considers the Grey Extension as completed, will enable the Company at once to close the Bruce contract.

I have the honour to be, Sir,
Your obedient servant,
(Signed) W. RAMSAY,
Vice-President.

(Copy.)

THE TORONTO, GREY AND BRUCE RAILWAY,
Toronto, 3rd July, 1874.

To the Honourable the Provincial Secretary of Ontario.

SIR,—Referring to a resolution passed at a meeting of the Directors of this Company, held on 18th June, 1874, a copy of which is herewith appended I am requested to

enquire if it is the wish of the Government that the agreement therein referred to, be forwarded to the Government, or to the Township of Luther. If to the Government, the Directors will be glad to receive a draft of such an agreement as will best suit the requirement of the Government.

I am, Sir, your obedient servant,
(Signed) W. SUTHERLAND TAYLOR,
Secretary-Treasurer.

(Copy.)

Resolution passed at a meeting of the Board of Directors of the Toronto, Grey and Bruce Railway Company held on the 18th of June, 1874.

Moved by Mr. W. B. Hamilton, seconded by Mr. John Morrison, and resolved, that in case the Township of Luther will aid the Company by giving to them aid by way of bonus to the amount of $20,000, or such sum as the Government deem proper, the Company will continue the present station in the Township of Luther, situate within one mile and a quarter of Green's Hotel, in the Village of Arthur, and will erect and maintain another station (sufficient for the requirements thereof) near the town line between the Townships of Luther and Amaranth, and as near as can conveniently be to the place where the siding had formerly been put down by the Company, the said stations being the same as provided in the original by-law, and the Company will enter into an agreement to carry out the above.

The resolution was carried.

(Copy.)

THE TORONTO, GREY & BRUCE RAILWAY,
Toronto, 14th July, 1874.

To the Honourable the Provincial Secretary of Ontario.

SIR,—As the Directors of this Company meet on Friday first, it would greatly oblige if a reply to my letters of 20th June and 3rd July were received by that date. The Directors are most anxious to have the matters referred to therein arranged.

I am, Sir,
Your obedient servant,
(Signed) W. SUTHERLAND TAYLOR,
Secy.-Treas.

PROVINCIAL SECRETARY'S OFFICE,
Toronto, 17th July, 1874.

SIR,—I have the honour to enclose draft of the agreement with reference to the Luther station as approved by the Attorney-General. Upon execution by the Company, the Government will be able to take action in respect of the communication of your Vice-President dated 20th ultimo.

Your obedient servant,
(Signed) I. R. ECKART,
Assistant-Secretary.

W. Sutherland Taylor, Esq.,
Secretary Toronto, Grey & Bruce Railway Co.,
Toronto.

This Indenture, made the twentieth day of July, A. D. 1874, Between the Toronto, Grey and Bruce Railway Company, of the one part, and Her Majesty the Queen, of the other part: Whereas negotiations have been had between the Government of the Pro-

vince of Ontario and the said Company, with the view to the settlement of the dispute between the Township of Luther and the said Company, and the said Company, at the request of the said Government, has agreed to execute these presents: Now it is hereby witnessed, that the said Company, for divers good and valuable considerations, doth covenant with Her Majesty, her heirs and successors, that in the event of the Corporation of the Township of Luther passing a by-law for granting to the said Company a bonus of twenty thousand dollars, or of such other sum, not being less than fifteen thousand dollars, as the Lieutenant-Governor in Council may approve of, and hand over to the Company the debentures to be issued thereunder, the Company, in addition to the present station in the said Township, which the Company will also continue, will forthwith establish and keep open in the said Township, another station for passengers and freight, with all convenient sidings, station houses and other facilities to the satisfaction of the Lieutenant-Governor in Council: The said station to be situated near the Town-line between the Townships of Luther and Amaranth, and as near as can conveniently be to the place where the siding was formerly put down by the Company: In Witness whereof, the said Company have hereunto set their Corporate seal.

(Signed) W. RAMSAY,
Vice-President. [L.S.]

Sealed and delivered by the said Company,
and countersigned in the presence of
(Signed) R. H. DEE,
Law Clerk,
Toronto.

(Copy.)

TORONTO, July 29th, 1874.

The Hon. the Provincial Secretary.

SIR,—We have the honour to enclose copies of assignment from the Toronto, Grey and Bruce Railway Company to Messrs. T. & J. Robinson, of the Government Grant to the Railway, in respect of the portion of the Road between Harriston and Teeswater, and an assignment from Messrs. Robinson to Messrs. Rice Lewis & Son, of this city. To the assignments are attached copies of the Order in Council of the 17th March, 1874, and your letter of the 19th June last to John Gordon, Esq., President of the Road.

Messrs. Rice Lewis & Son desire that any money payable under the above should be paid into the Bank of Montreal, Toronto, to their credit.

We remain,
Yours truly,
(Signed) CAMERON, MCMICHAEL & HOSKINS.

This Indenture, made the twenty-sixth day of June, in the year of our Lord one thousand eight hundred and seventy-four, between "The Toronto, Grey and Bruce Railway Company" hereinafter called "The Company," of the first part, and Thomas Robinson, of the Village of Harriston, contractor, and John Robinson, of the Village of Mount Forest, contractor, hereinafter called "The Contractors," of the second part: Whereas by an Order in Council, made the seventeenth day of March, one thousand eight hundred and seventy-four, a copy whereof is hereto annexed certain grants are made to the said Company out of the Railway Fund in respect of the portion of their Railway between Harriston and Teeswater, and out of the Railway Subsidy Fund in respect of the portion of their Railway between Orangeville and Owen Sound upon the conditions therein set out; And whereas the contractors have entered into a contract with the Company, dated the twenty-third day of June, one thousand eight hundred and seventy-

four, for the completion of their Railway from Mount Forest to Teeswater, and part of the consideration to be given to the contractors therefor, is an assignment by the Company to them of all rights and benefits made under the said Order in Council, so far as relates to that portion of their Railway between Harriston and Teeswater, and under the letter referring thereto received from the Assistant Secretary of the Province of Ontario (copy of which letter is hereto annexed); Now this Indenture witnesseth that in pursuance of the terms of the said Contract, and in consideration thereof, the said Company hereby assign, transfer and set over unto the said contractors, their executors, administrators and assigns, all the rights, title, interest and benefits of the said Company, under or by virtue of the said Order in Council, and letter referring thereto, and any subsequent Order to be passed, confirming the said Grants, so far as the same relates to that portion of the Road between Harriston and Teeswater, in respect of the moneys payable out of the Railway Aid Fund, being at the rate of two thousand dollars per mile for the whole mileage from Harriston to Teeswater, and all moneys payable and to be payable to the said Company thereunder to the extent aforesaid, subject, however, to the conditions and provisions in said Order and letter contained, and to the terms and conditions of the said contract; and the said Company hereby appoint the said contractors, their executors, administrators and assigns, their attorneys to ask and receive from the Government of the Province of Ontario and such persons or corporations as may be necessary, all moneys payable or to be payable as aforesaid.

In witness whereof the said Company have hereto set their corporate seal, and the contractors, their hands and seals.

Sealed and delivered by the Company and countersigned in the presence of (Signed) "G. W. Robb." (Signed) W. Ramsay *V.-Pres. T., G. & B. R.* { Corpor. seal of T., G. & B. R. }

Signed, sealed and delivered by the contractors, in the presence of (Signed) Thos. Robinson. (L. S.) John Robinson. (L. S.)

(Copy.)

This Indenture, made the twenty-fifth day of July, in the year of Our Lord one thousand eight hundred and seventy-four, between Thomas Robinson, of the Village of Harriston, in the County of Wellington, and John Robinson, of the Village of Mount Forest, in the County of Wellington, contractors, of the first part, and George W. Lewis, Arthur B. Lee and John Leys, of the City of Toronto, merchants, trading under the name, style and firm of Rice Lewis & Son, of the second part: Whereas by a certain indenture (hereunto annexed) bearing date on or about the twenty-sixth day of June last, and made between the Toronto, Grey and Bruce Railway Company, of the first part, and the parties hereto of the first part, of the second part, the said Toronto, Grey and Bruce Railway Company did assign, transfer and set over unto the said parties hereto of the first part, all the rights, title, interest and benefits of the said Toronto, Grey and Bruce Railway Company, under or by virtue of an Order in Council and letter referring thereto, made the seventeenth day of March last, a copy whereof is to the said indenture now in recital attached, and is attached hereto, and any subsequent order to be passed, confirming grants to be made to the said Toronto, Grey and Bruce Railway out of the Railway Fund, in respect of the portion of the said Railway between Harriston and Teeswater, and out of the Railway Subsidy Fund, in respect of the portion of the said Railway between Orangeville and Owen Sound, so far as the said Order and letter refer to the said grant in respect of the portion of the said Railway between Harriston and Teeswater, and all moneys payable and to be payable to the said Toronto, Grey and Bruce Railway Company thereunder: And whereas, by a certain Indenture bearing date on or about the fourth day of July, one thousand eight hundred and seventy-four, and made between the said parties hereto of the first part of the first part, and the parties hereto of the second part

of the second part, it was, amongst other things, agreed that the said parties hereto of the second part should supply the said parties hereto of the first part with iron to be used on the said Railway, and that the said parties hereto of the first part should on the arrival and before the delivery of the said iron pay to the said parties hereto of the second part twenty-five per cent. of the value of the iron so to be supplied: And whereas the said parties hereto of the first part have asked the said parties hereto of the second part to give them time for the payment of the said twenty-five per cent., and have offered to assign their rights under the said Order in Council and letter, and the said Indenture of the twenty-sixth day of June last hereinbefore in part recited, and to pay interest at the rate of eight per cent. per annum from the date of the arrival in the City of Toronto of such iron on the said twenty-five per cent., until the same shall be fully paid and satisfied; Now this Indenture witnesseth that in consideration of the premises and of the sum of one dollar now paid by the said parties hereto of the second part to the said parties hereto of the first part, the receipt whereof is hereby acknowledged, the said parties hereto of the first part hereby assign, transfer and set over unto the said parties hereto of the second part, their executors, administrators and assigns, all the rights, title, interest and benefits of the said parties hereto of the first part and of the said Toronto, Grey and Bruce Railway Company, under and by virtue of the said Order in Council and letter referring thereto, and any subsequent Order to be passed confirming the said grants, so far as the same relates to that portion of the road between Harriston and Teeswater, in respect of the moneys payable out of the Railway Aid Fund, being at the rate of two thousand dollars per mile for the whole mileage from Harriston to Teeswater, and all moneys payable and to be payable to the said Toronto, Grey and Bruce Railway Company or to the said parties hereto of the first part thereunder to the extent aforesaid: To have, hold, receive and take unto the said parties hereto of the second part, their executors, administrators and assigns, to and for their and their sole and only use forever: Provided always, and it is hereby agreed and understood by and between the parties hereto that the said parties hereto of the second part, their executors, administrators and assigns shall and will from time to time apply all sum and sums of money received from the Government, under or by virtue of these presents, in payment of the amount due to them for or in respect of the said twenty-five per cent., and the interest thereon at the rate aforesaid, and shall and will apply the balance (if any) to the payment of any other indebtedness of the said parties hereto of the first part or of either of them to them, and shall and will pay the remainder (if any) to the said parties hereto of the first part, their executors, administrators or assigns: And the said parties hereto of the first part, for themselves, their heirs, executors and administrators, covenant, promise and agree to and with the said parties hereto of the second part, their executors, administrators and assigns, that they will pay to the said parties hereto of the second part, their executors, administrators and assigns, interest at the rate of eight per cent. per annum upon the said twenty-five per cent. until the whole amount thereof shall be fully paid and satisfied: And the said parties of the first part hereby appoint the said parties hereto of the second part, their executors, administrators and assigns, their attorneys irrevocable to ask and receive from the Government of the Province of Ontario, and such persons and corporations as may be necessary, all moneys payable or to be payable as aforesaid.

In witness whereof the said parties hereto have hereunto set their hands and seals.

THOS. ROBINSON. [L.S.]
JNO. ROBINSON. [L.S.]

Signed, sealed and delivered in the presence of
(Sig'd) JOHN SIMPSON.

(Copy.)

PROVINCIAL SECRETARY'S OFFICE,
Toronto, 30th July, 1874.

SIR, I have the honour to transmit herewith copy of an Order in Council approved of by His Excellency the Lieutenant-Governor the 27th day of July, declaring that it has been made to appear that the line of the "Toronto, Grey and Bruce Railway," between Orange-

ville and Owen Sound, was before the 1st day of July, 1874, completely finished and equipped for the conveyance of the traffic of the district traversed by the said line, in accordance with the exigency of the Order in Council of the 17th March last in that behalf.

I have the honour to be, Sir,
Your obedient servant,
(Signed) I. R. Eckart,
Assistant-Secretary.

W. Sutherland Taylor, Esq.,
Secretary T. G. & B. Railway, Toronto.

(Copy.)

Copy of an Order in Council approved by His Excellency the Lieutenant-Governor the 27th day of July, A. D. 1874.

The Committee of Council advise that your Excellency declare that it has been made to appear to the satisfaction of your Excellency in Council, that the line of the Toronto, Grey and Bruce Railway, between Orangeville and Owen Sound, was before the first day of July, 1874, completely finished and equipped with all necessary and convenient station-houses and other appliances for the conveyance of the traffic of the district traversed by the said line, in accordance with the exigency of the Order in Council of the 17th March last in that behalf.

Certified.

28th July, 1874. (Signed) H. Kinloch,
Asst. Clerk Executive Council, Ontario.

(Copy.)

Ontario Bank,
Mount Forest, 3rd September, 1874.

Sir,—I beg to notify you that the "Toronto, Grey and Bruce Railway Company" have transferred to Messrs. Thomas and John Robinson, contractors, all their right, title and interest to an Order in Council granting the said Railway Company the sum of ninety-seven dollars and twenty cents per mile of that portion of their Railway lying between Orangeville and Owen Sound, computed for twenty years from the first day of January, 1872; or at the rate of one thousand dollars per mile of the said portion of Railway between Orangeville and Owen Sound, instead of the said annual mileage rate of ninety-seven dollars and twenty cents, at the option of the Lieutenant-Governor in Council;

And that the said Thomas and John Robinson have transferred the said Order in Council to the Ontario Bank, to be held as collateral security for advances in money made to them by the said bank, to construct and complete the line of the Toronto, Grey and Bruce Railway from Harriston to Teeswater.

In conformity with your letter dated 19th June, 1874, to John Gordon, Esq., President Toronto, Grey and Bruce Railway Co., in which you say with "respect to an assignment of the Order in Council, the Government will facilitate the objects of the parties by making the payments through any one of the banks that may be designated for that purpose," I beg to request that you will cause the money for the above Order in Council to be paid through this Bank.

I am, Sir,
Your obedient servant,
(Signed) George Brown,
Manager.

The Honourable Provincial Secretary,
Toronto.

TORONTO, GREY AND BRUCE RAILWAY,
Solicitor's Office, No. 56 King Street East,
Toronto, 17th September, 1874.

The Hon. the Provincial Secretary.

DEAR SIR,—Herewith find the original contract between Francis Shanly and the Toronto, Grey and Bruce Railway Company, for the completion of the works between Toronto and Weston, and the bond from Walter and James Shanly securing the due performance of the same.

I may add that the iron has been laid on a portion of the line, and the whole will be completed by the 1st December next.

The Company is negotiating a loan, anticipating the grant, and you would much oblige by sending an answer as early as possible.

I have the honour to be,
Yours,
(Signed) W. H. BEATTY.

Memorandum:

Contract between Francis Shanly and the Company for the completion of the works between Toronto and Weston and the bond from Walter and James Shanly securing the due performance of the same.

(Copy.)

Copy of an Order in Council approved by His Excellency the Lieutenant-Governor the 24th day of September, A.D. 1874.

The Committee of Council have had under consideration the contract dated the first day of June, A.D. 1874, between the Toronto, Grey and Bruce Railway Company and Frank Shanly, of that portion of the Railway of the said Company between Toronto and Weston, and the Committee consider the said contract to be *bona fide* and satisfactory, and sufficient for the completion of the said portion of the Railway, and recommends that the terms of the Order in Council of the 17th day of March, A.D. 1874, in that behalf, be taken as fulfilled, and the time mentioned in the said Order be, subject to the ratification of this Order by resolution of the Legislative Assembly, deemed as extended for this purpose; and also, that, subject as aforesaid, the time allowed the said Company by said Order in Council of 17th March last for completely finishing to the satisfaction of your Excellency in Council, the portion of the line of the Company between Harriston and Teeswater, with all convenient station houses and other facilities for traffic, and for making satisfactory proof to your Excellency that the arrangements for the operating of this portion of its Railway are such as will secure these facilities to the district traversed by this part of the said Railway, be extended to the 31st day of December next.

Certified.

GEO. B. NICOL,
For Clerk Executive Council, Ontario.

24th September, 1874.

(Copy.)

Copy of an Order in Council approved by His Excellency the Lieutenant-Governor the 9th day of December, A.D. 1874.

The Committee of Council have had under consideration the Report of the Honourable the Commissioner of Public Works, dated the 1st December instant, wherein he states that the Toronto, Grey & Bruce Railway Company has completed the portions of its road hereinafter mentioned, in accordance with the provisions of the Acts in Aid of Railways, and the

Orders in Council relating to the said portions of the said Railway, and also the recommendation of the Honourable the Treasurer, dated the 4th December instant, with reference to payments to be made to the said Company.

The Committee advise that payment be made to the said Company out of the Railway Fund of a sum equal to two thousand dollars per mile for the distance of the Railway between Harriston and Teeswater, being 25$\frac{7}{10}$ miles in length, according to the said Report of the Commissioner of Public Works, and that a warrant be issued therefor.

The Committee further advise that payment be also authorized to be made to said Company out of the Railway Subsidy Fund of a sum of ninety-seven dollars and twenty cents per mile for that portion of the line of the Company between Orangeville and Owen Sound, being a distance of 73$\frac{5}{10}$ miles according to the said Report of the said Commissioner, such sum amounting to seven thousand one hundred and forty-seven dollars, and to be payable to the said company by even half-yearly payments of three thousand five hundred and seventy-three dollars and fifty cents each, on the 30th day of June and 31st December in each and every year during the period of twenty years, to be computed from the 1st day of January, 1872.

The Committee further advise that payments be made in cash for the said half-yearly payments that have become due up to and inclusive of the 31st December, 1874.

The Committee further advise that Letters Patent be issued for the purpose of more formally witnessing the title of the Toronto, Grey and Bruce Railway Company to the half-yearly payments yet to be made to it as herein mentioned, and that transferable certificates be issued by the Treasury Department for the said half-yearly payments.

Certified.

J. G. Scott,
Clerk of Executive Council,
Ontario.

10th December, 1874.

Toronto, 16th December, 1874.

To the Hon. the Provincial Secretary of Ontario.

Sir,—On behalf of the Toronto, Grey and Bruce Railway Company, I have the honour to make application for the Government bonus on the additional mile of road lately built from the temporary station at Owen Sound up to the town, and which has been duly measured by the Government Inspector.

I have the honour to be, Sir,
Your obedient servant,
(Signed) W. Sutherland Taylor,
Secretary and Treasurer.
Toronto, Grey and Bruce Railway.

(Copy.)

Government Grant to the Company.

Province of Ontario.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., &c., &c. To all to whom these presents shall come, Greeting:

Whereas, by an Act of Our Province of Ontario, passed in the 35th year of Our reign, chapter 24, and intituled "An Act to make further provision in aid of Railways," it was enacted that the sum of one hundred thousand dollars yearly for twenty years should be set apart from and out of the Consolidated Revenue Fund of the said Province, and should form a fund to be designated and known as the Railway Subsidy Fund, and that the provisions of the Act of the said Province in aid of Railways, and of any Act amending the same, should

(save in so far as they might be inconsistent with the said in part recited Act) apply to the authorization and payment of any grant out of the said Railway Subsidy Fund; and that scrip or certificates might be issued in respect of any grant out of the said fund after payment thereof had been duly authorized: And whereas, by an Order of the Lieutenant-Governor in Council, dated the 17th day of March, 1874, with reference to the Toronto, Grey & Bruce Railway Company, it was, amongst other things, ordered that subject to the ratification of such Order in Council by resolution of the Legislative Assembly of the Province of Ontario, in default whereof it is declared that such Order should be inoperative, payment should be authorized to be made out of the Railway Subsidy Fund to the said Company of the sum of $97 20 of that portion of the line of the Company's Railway between Orangeville and Owen Sound, such sum to be payable by even half-yearly payments of $48 60 each, on the 30th day of June and the 31st day of December in each and every year during the period of 20 years, computed from the 1st day of January, 1872, and to the full end thereof; subject, nevertheless, to the following conditions, that is to say:—

First. On condition that the Railway Company do, on or before the 1st day of September next, construct and completely finish, to the satisfaction of His Excellency in Council, the portion of the line of the Company between Harriston and Teeswater, with all convenient station-houses and other facilities for traffic, and do also make satisfactory proof to His Excellency in Council that the arrangements of the Company for the operating of this portion of its Railway are such as will secure continuance of these facilities to the district traversed by this part of the said Railway.

Second. On condition that, on or before the 1st day of July next, it shall be made to appear to the satisfaction of His Excellency in Council, that the line of Railway between Orangeville and Owen Sound is completely finished and equipped with all necessary and convenient station-houses and other appliances for the conveyance of the traffic of the district traversed by said line.

Third. On condition that His Excellency in Council may direct that payment be made to the said Company out of the Railway Fund (should the same be applicable thereto) at the rate of one thousand dollars per mile of the said portion of Railway between Orangeville and Owen Sound, instead of the said annual mileage rate of ninety-seven dollars and twenty cents, at the option of the Lieutenant Governor in Council.

And whereas the said Order in Council was, on the 21st day of March, 1874, duly ratified by resolution of the said Legislative Assembly:

And whereas the second condition in the said Order contained was duly performed by the said Company according to the exigency thereof, and the Lieutenant-Governor has not thought fit to exercise the option given by the third of the aforesaid conditions:

And whereas the time allowed the said Company by the said Order for the fulfilment of the first condition in the said Order contained was, by order of the Lieutenant-Governor in Council, dated the 24th day of September, 1874, and ratified by resolution of the Legislative Assembly, extended to the 31st day of December, 1874:

And whereas such condition was duly performed by the said Company within the said period last mentioned:

And whereas it was, by a certain other Order made by our Lieutenant-Governor in Council, dated the 9th day of December, 1874, amongst other things directed that payment should be made to the said Company out of the Railway Subsidy Fund of a sum equal to ninety-seven dollars and twenty cents per mile for that portion of the line of the said Company between Orangeville and Owen Sound, being a distance of 73 miles and 529·1000 parts of a mile, according to the Report of the Commissioner of Public Works, such sum amounting to $7,147, and to be payable to the said Company by even half-yearly payments of $3,573 50 each, on the 30th day of June and 31st day of December in each and every year during the period of 20 years, to be computed from the 1st day of January, 1872; and it was further directed that payments should be made in cash for the said half-yearly payments that had become due up to and inclusive of 31st December, 1874, and that Letters Patent should be issued for the purpose of more formally witnessing the title of the said Company to the half-yearly payments yet to be made as aforesaid, and that transferable certificates should be issued by the Treasury Department for the said half-yearly payments yet to be made as aforesaid:

And whereas payment has been duly made to the said Company of the half-yearly pay-

ments aforesaid—six in number—which accrued up to and inclusive of the said 31st day of December, 1874.

Now know ye that in consideration of the said recited premises, and for the purpose of carrying the same into full effect, we do by these Our Letters Patent, issued by the direction of Our Lieutenant-Governor in Council, testify that we have in manner aforesaid granted, and we do hereby confirm unto the Toronto, Grey and Bruce Railway Company, its successors and assigns, the thirty four half-yearly payments of $3,573 50 each yet to be made by virtue of the said Orders, and payable out of the Railway Subsidy Fund, on the 30th day of June and 31st day of December in each and every year during the residue yet unexpired of the said period of 20 years, to be computed as aforesaid, from the 1st day of January, 1872, such semi-annual payments to be made without any abatement from time to time by the Treasurer of Our said Province to the Toronto, Grey and Bruce Railway Company, its successors or assigns, upon the delivery to the Treasurer of Our said Province, at Toronto, of the certificates issued therefor respectively from the Treasury Department of Our said Province, and bearing even date herewith.

Given under the Great Seal of Our Province of Ontario.

Witness,

The Honourable John Crawford, Lieutenant-Governor of Our Province of Ontario, at Toronto, this thirty-first day of December, in the year of Our Lord one thousand eight hundred and seventy-four, and in the thirty-eighth year of Our reign.

By Command of the Lieutenant-Governor in Council,

ARCHD. McKELLAR,
Secretary.

(Memo. of Receipts and Expenditure.)

TORONTO, GREY AND BRUCE RAILWAY,
Secretary and Treasurer's Office,
TORONTO, 23rd June, 1875.

Interview with Government, 24th June.

MEMORANDA.

	Receipts.	Expenditure.
July 1st, 1874, to 31st December, 1874	$186,054 45	$113,976 62
Jan. 1st, 1875, to 30th June, 1875	144,152 50	136,859 41
	$329,206 95	$250,836 03
Profit over working expenses	.....	78,370 92
Profit as above.....	$78,370 00	
Snow blockade, expenses included in above	27,000 00	
Loss of traffic 3 months ending 31st March, 1875, through snow	36,000 00	
Less cost of carrying the same, say 50 per cent ...	18,000 00	
	$123,370 00	
Balance of nett rev. acc. from last year.....	11,763 00	
	$135,133 00	

THE TORONTO, GREY AND BRUCE RAILWAY,
Secretary and Treasurer's Office,
TORONTO, 9th Sept., 1875.

To the Hon. the Provincial Secretary of Ontario.

SIR,—I beg to inform you that the section of this Company's line from Toronto to Weston is now ready to be opened for traffic. The Directors have desired me to respectfully request that the same be, at as early a date as possible, measured and inspected by the Government engineer, with a view to the Company obtaining the Government bonus thereon.

I am,
Your obedient servant,
(Signed) W. SUTHERLAND TAYLOR,
Sec. and Treas.

Copy of an Order in Council approved by His Honor the Lieutenant-Governor the 27th day of October, A.D. 1875.

The Committee of Council have had under consideration the Report of the Honourable the Commissioner of Public Works, dated the 16th October, 1875, submitting the Report of Thomas N. Molesworth, Esquire, on the works in construction of that portion of the Toronto, Grey and Bruce Railway, extending from Weston to the water's edge, Queen's Wharf, Toronto (8·550 miles).

The Commissioner reports that the said Railway Company has completed the said portion of its road within the meaning of the Act in Aid of Railways.

The Committee have also had under consideration the recommendation of the Honourable the Treasurer, of the same date, with reference to payments to be made to the said Company, and advise that your Honour direct that payment be made to the said Company out of the Railway Subsidy Fund of the annual sum of one hundred and ninety four dollars and forty cents per mile for the said portion of its road, for the period of twenty years from the 1st January, 1872, payable half yearly on the 30th day of June and 31st day of December in each year during the said period.

The Committee further advise that a warrant be issued in favour of the said Company for the sum of five thousand eight hundred and seventeen dollars and forty-two cents, being the amount of seven of the said half yearly payments which have accrued due up to and inclusive of the 30th day of June, 1875, and that Letters Patent be issued for the purpose of more formally witnessing the title of the said Company to the thirty-three half yearly payments yet to be made to it in manner aforesaid, and that transferable certificates be issued by the Treasury Department for the said half-yearly payments, and that each of such certificates be for the sum of eight hundred and thirty-one dollars and six cents, the first thereof to fall due on the 31st December, 1875, and the last on the 31st December, 1891.

Certified. (Signed) J. G. SCOTT,
Clerk Executive Council, Ontario.

29th October, 1875.

(Copy.)

GOVERNMENT GRANT TO THE COMPANY.

Province of Ontario.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., &c., &c. To all to whom these presents shall come—GREETING:

Whereas, by an Act of our Province of Ontario, passed in the thirty-fifth year of Our reign, chaptered twenty-four, and intituled "An Act to make further provisions in aid of

Railways," it was enacted that the sum of one hundred thousand dollars yearly for twenty years should be set apart from and out of the Consolidated Revenue Fund of the said Province, and should form a fund to be designated and known as the Railway Subsidy Fund, and that the provisions of the Act of the said Province in aid of Railways, and of any Act amending the same, should (save in so far as they might be inconsistent with the said in part recited Act) apply to the authorization and payment of any grant out of the said Railway Subsidy Fund; and that scrip or certificates might be issued in respect of any grant out of the said fund, after payment thereof had been duly authorized, and after the Commissioner of Agriculture and Public Works should have duly reported, as provided by the said Act in aid of Railways;

And whereas, by an Order of the Lieutenant-Governor in Council, dated the seventeenth day of March, one thousand eight hundred and seventy-four, with reference to the Toronto, Grey and Bruce Railway Company, it was amongst other things ordered that aid should be granted to the said Company at the rate of two thousand dollars per mile or the equivalent annual payments, for that portion of the said Railway between Weston and Toronto, on proof of a *bona fide* contract for the completion of the works being made by the first day of September, one thouiand eight hundred and seventy-four;

And whereas the said Order in Council was on the twenty-first day of March, one thousand eight hundred and seventy-four, duly ratified by resolution of the Legislative Assembly of the Province of Ontario;

And whereas, by another Act of the said Province, passed in the thirty-seventh year of Our reign, intituled "An Act respecting the Railway Fund and the Railway Subsidy Fund," it was amongst other things provided, with reference to the said funds, that in directing payment at the yearly rate of one hundred and ninety-four dollars and forty cents per mile of Railway, payable half-yearly for the full period of twenty years, computed from the 1st day of January, one thousand eight hundred and seventy-two, such yearly payment should be deemed and taken as equivalent to payment in hand at the rate of two thousand dollars per mile of Railway, and *vice versa*;

And whereas, by an Order of our Lieutenat-Governor in Council, dated the twenty-fourth day of September, one thousand eight hundred and seventy four, and subsequently duly ratified by resolution of the Legislative Assembly, it was further ordered that the terms of the said Order in Council, dated the seventeenth day of March, one thousand eight hundred and seventy-four, in respect of proof of a *bona fide* contract for the completion of the said works, should be taken as fulfilled;

And whereas, under an Act of the said Province, passed in the thirty-seventh year of Her Majesty's reign, intituled "An Act respecting the Executive Council," it was enacted that it should not thereafter be necessary that the office of Commissioner of Agriculture and the office of Commissioner of Public Works should be held by the same person, and thereafter under an Order of the Lieutenant-Governor in Council made in that behalf, and under the authority of the last-mentioned Act, the said offices were severed;

And whereas the Commissioner of Public Works having upon the sixteenth day of October, one thousand eight hundred and seventy-five, reported for the information of Our Lieutenant-Governor in Council that the said Railway Company had completed that portion of its road extending from Weston to the water's edge of the Queen's Wharf at Toronto, being a distance of eight miles and fifty-five one-hundredths of a mile, within the meaning of the said Act in aid of Railways, it was by a certain other order made by our Lieutenant-Governor in Council, dated the twenty-seventh day of October, one thousand eight hundred and seventy five, directed that payment be made to the said Company out of the Railway Subsidy Fund of the annual sum of one hundred and ninety-four dollars and forty cents per mile for the said portion of its road for the period of twenty years, from the first day of January, one thousand eight hundred and seventy-two, payable half-yearly on the thirtieth day of June and thirty-first day of December in each year during the said period, and that a warrant should be issued in favour of the said Company for the sum of five thousand eight hundred and seventeen dollars and forty-two cents, being the amount of seven of the said half-yearly payments which had accrued due up to and inclusive of the thirtieth day of June, one thousand eight hundred and seventy-five, and that Letters Patent should be issued for the purpose of more formally witnessing the title of the said Company to the thirty-three half-yearly payments yet to be made to it in manner aforesaid, and that transferable certi-

ficates should be issued by the Treasury Department for the said half-yearly payments, and that each of such certificates should be for the sum of eight hundred and thirty-one dollars and six cents, and that the first thereof should fall due on the thirty-first day of December, one thousand eight hundred and seventy-five, and the last on the thirty-first day of December, one thousand eight hundred and ninety-one ;

And whereas payment has been duly made to the said Company of the seven half-yearly payments aforesaid which accrued up to and inclusive of the said thirtieth day of June, one thousand eight hundred and seventy-five :

Now know ye that, in consideration of the said recited premises, and for the purpose of carrying the same into full effect, we do, by these Our Letters Patent, issued by the direction of our Lieutenant Governor in Council, testify that we have in manner aforesaid granted, and we do hereby confirm, unto the Toronto, Grey and Bruce Railway Company, its successors and assigns, the thirty-three half-yearly payments of eight hundred and thirty-one dollars and six cents each yet to be made, by virtue of the said Orders, and payable out of the Railway Subsidy Fund on the thirtieth day of June and thirty-first day of December in each and every year during the residue yet unexpired of the said period of twenty years, to be computed as aforesaid, from the first day of January, one thousand eight hundred and seventy-two, such semi-annual payments to be made, without any abatement, from time to time by the Treasurer of Our said Province to the Toronto, Grey and Bruce Railway Company, its successors or assigns, upon the delivery to the Treasurer of Our said Province, at Toronto, of the certificates issued therefor respectively from the Treasury Department of Our said Province, and bearing even date herewith. Given under the Great Seal of our Province of Ontario.

Witness, the Honourable Donald Alexander Macdonald, Lieutenant-Governor of Our Province of Ontario, at Toronto, this fifth day of November, in the year of Our Lord one thousand eight hundred and seventy-five, and in the thirty-ninth year of Our reign.

By command of the Lieutenant-Governor in Council,

(Signed) S. C. Wood,
Secretary.

(Copy.)

The Toronto, Grey and Bruce Railway,
President's Office, Toronto, 1st December, 1875.

To the Honourable S. C. Wood,
Provincial Secretary of Ontario.

Sir,—Referring to an interview granted to a deputation from this Company on the 19th November last, and also to an interview I had this morning with the Honourable Adam Crooks and yourself, I have now the honour to submit for the consideration of the Government of Ontario the following reasons why this Company is seeking aid from the Railway Subsidy Fund for that portion of the Railway between Weston and Orangeville, a distance of forty miles.

The Government are, I believe, already aware that this is the only portion of the Toronto, Grey and Bruce Railway which has received no aid. It was at one time considered to be precluded, as a contract for its construction was let prior to the date fixed upon in the Railway Aid Act, but this contract was afterwards broken on the 10th day of August, 1871, and a new one was entered into with Mr. Frank Shanly for the same work (which consisted of ballasting and track-laying) at an increased price. It is submitted, therefore, that by this action the Company was placed in a similar position to that of the Port Whitby and Port Perry Railway Company.

I would urge also, that the Toronto, Grey and Bruce, together with portions of the Wellington, Grey and Bruce, and Toronto and Nipissing Railways, are the only railways which have not received aid under the Railway Aid Act ; and I would further call your attention to the fact that this Company is in a different position to either of the two abovenamed railways in two very essential particulars: the one, that this Railway, unlike the other two, has its finances in an unsettled and incomplete state, and any aid granted would not be to the benefit of the

stockholders, whose interest, amounting to $325,000, may be already said to be extinguished, but would benefit the Railway itself, and consequently the general public; the other, that other railways, serving to a very great extent the same territory as the Toronto, Grey and Bruce, have been subsidized—the one to an extent of $2,500, the other to an extent of $2,000 per mile. This latter fact has greatly deteriorated the value of the bonds of this Company on the English market, the holders of which in that country cannot divest themselves of the idea that those two competing Railways, having been aided by Government, have received, practically, an endorsation by it; and it may not be out of place to call the attention of the Government to the fact that if default is made in the interest or principal of these bonds, the source towards which many Railway Companies who are now engaged upon the work of construction, are looking for the means to enable them to complete their undertakings, will, by reason of such default, be barred against them.

I venture therefore to urge that this Company should be placed upon no worse footing than that of its younger neighbours; and looking to the fact that this portion of the road was the most expensive portion to construct, comprising, as it does, the heavy works at the Humber Valley and the Caledon Mountains, as well as having been since the year 1873 re-laid almost through its entire length with new and heavy rails I feel that the Government will be doing no more than they are warranted, and than the exigencies of the case demand, in granting aid to the extent of three thousand dollars per mile upon this section of the Railway.

I have the honour to be, Sir,
Your obedient servant,
(Signed) JOHN GORDON,
President T. G. & B. Ry.

TORONTO, GREY AND BRUCE RAILWAY,
General Manager's Office,
Toronto, 17th December, 1875.

To the Honourable S. C. WOOD, *Provincial Secretary of Ontario.*

SIR,—Referring to an interview yesterday with the Hon. the Treasurer, who asked me to furnish evidence relating to the breaking of the contract for ballasting the Toronto, Grey and Bruce Railway, between Weston and Orangeville, I beg now to offer the following remarks as to the circumstances, accompanied by the necessary documents bearing upon the case :—

The contract in question—namely, for ballasting and track-laying from Weston to Orangeville—was let on the 24th October, 1870 (or forty-four days only prior to the date from which the Railway Aid Act takes effect), and the work was to have been completed by the 1st July, 1871. (Original contract marked A appended, which please return.)

The works did not progress as fast as they should have done, and frequent representations were made to the contractors that the work must be more rapidly advanced. See two letters marked B and C respectively, addressed to the contractors by the chief engineer of the Company, and dated 29th June, 1871, and 18th July, 1871. These were followed by a notice served on the contractors, and dated 27th July, 1871 (appended and marked B).

These representations not having the desired effect, and delays still continuing, the Board of Directors, on the 10th of August, 1871, passed the two resolutions appended, marked E and F, copies of which, served upon the contractors, are also appended, marked E F.

Negotiations were entered into with Mr. Frank Shanly, to whom, on the 12th August, 1871, the accompanying document, marked G, authorizing him to take over the plant and rolling stock of the Company on the 14th August, 1871, and proceed with the work, was sent.

The documents marked H and I respectively, copies of the certificates of the chief engineer of the Company, setting forth the quantity of work done by the contractors, Messrs. Wardrop & Co., with the prices paid for such work up to the 31st July, 1871, and the quantity of work done by their successor, Mr. Frank Shanly, with the prices paid to him for similar work, which latter prices, it will be noticed, are in excess of the former ones.

It may be noticed, also, that the slow progress of the work involved the Company in considerably increased expenditure as regards the running of the ballast trains, which it will be seen from the contract, were provided and manned by the Company.

It will be observed that the certificate in favour of Mr. Shanly is dated in the month of March, 1872, and is marked "final," showing that he worked as late in the season as it was possible for him to do; nevertheless the whole of the ballasting was not even then completed, and the document marked K being extracted from a Report of the Chief Engineer to the Board of Directors, dated 25th October, 1871, shows the amount which then remained to be done to complete the work, and which was actually carried out by the Company itself under my directions, without the intervention of a contractor, and at an increased cost, owing to its having to be done while the traffic of the Railway was being carried on.

If the original contract for ballasting and track-laying had been completed (and the making of which has been supposed to bar the Company from asking aid under the provisions of the Railway Aid Act), the Railway would have been in operation to Orangeville upon the 1st of July, 1871.

The facts, however, show that this was not realized, and the financial basis of the Company, therefore, so far as the construction from Weston to Orangeville was concerned, was not assured.

The Railway was not contracted for under a contract which enabled it to be completed: it was not opened until the 3rd November, 1871, instead of 1st July, 1871, and a considerable amount of work had to be done in the season of 1872 at increased expenditure, and the loss to the Company from these sources and from the entering into this unsatisfactory contract has been fourfold, as follows:—

1st. By reason of an increased price having to be paid for a large portion of the work.

2nd. By reason of the road not being ready for traffic until four months after the date contemplated (and which event contributed also to the loss of the bonus from the Township of Luther, by making the Company the same amount of time behind their agreement with that Township).

3rd. By having to run the road through the winter of 1871-72, and also during part of the summer of 1872, in an unfinished state and consequently at an increased cost.

4th. By the loss from that time to this of the Government bonus and the money which has had to be paid for four years as interest upon loans borrowed to take its place.

A total loss up to the present time, exclusive of the principal of the Government bonus and the Luther bonus, of at least seventy-five thousand dollars.

I have the honour to be, Sir,
Your obedient servant,
(Signed) EDMUND WRAGGE,
General Manager.

A.

(Copy.)

This Indenture, made the twenty-fourth day of October, in the year of Our Lord one thousand eight hundred and seventy, between John Wardrop, of Brockville, in the County of Leeds, contractor; James Fitten, of the same place, contractor; and John Ryan, of the same place, contractor, hereinafter called "the contractors" of the first part; Michael P. Ryan, of the City of Montreal, Esquire, and John Donelly, of the same place, contractor, of the second part; and the Toronto, Grey and Bruce Railway Company, who are hereinafter called "the Company" of the third part. Whereas the said contractors have tendered for the execution of the ballasting and track laying work in the construction of the said Company's Railway and works, set out in the specifications and schedules hereunto annexed, at the prices stated in the said specifications and schedules, upon that section or portion of the said Railway extending from Weston Junction to the Village of Orangeville: And whereas the said Company have accepted the said tender: Now, therefore, this Indenture witnesseth, that in consideration of the payments to be made by the said Company to the said contractors, as

hereinafter mentioned, the said contractors hereby for themselves, their executors and administrators, covenant and agree with the said Company, their successors and assigns, in manner following, that is to say:—

Clause First.—That the contractors, their executors or administrators, shall and will, at their own costs, supply and provide all and every kind of labour, carriage, waggons, barrows, implements, tools, plant and all other materials, articles, utensils and things, excepting as is set out in the specifications hereunto annexed, necessary for the due performance, execution, construction and completion of all and singular the works in the specifications hereunto annexed, mentioned and intended to be performed, executed, constructed and completed, and shall and will deliver the whole of such works unto the said Company on or before the several days herein mentioned, viz.: track laying to Bolton, on or before the first day of December, 1870; track laying to Orangeville, on or before the fifteenth day of May, 1871; ballasting to Bolton, on or before the fifteenth day of May, 1871; ballasting to Orangeville, on or before the fifteenth day of June, 1871; fully and finally completed of the best materials of their several kinds, and finished in the best and most workmanlike manner, in the manner required by and in strict conformity with the said specifications hereunto annexed, and the sections, plans and drawings referring thereto, which said specifications, sections, plans and drawings are hereby declared to be and are made part and parcel of this contract; and to the complete satisfaction of the Engineer of the Company for the time being in charge of the said works, and at the prices set out in the schedules hereunto annexed. And the said contractors further covenant to abide by, keep and perform all the conditions and stipulations contained in the said specifications.

Clause Second. That the said tenders and the said specifications, and the several parts thereof, and the said plans, sections and drawings referring thereto shall be taken together, to explain each other, and to make the whole, taken together, consistent; and if, in the execution of the work, or any part thereof, it shall be found that anything has been omitted or mis-stated, either in the drawings or specifications, which is necessary for the proper performance and completion of any part of the work contemplated, the said contractors, their executors or administrators shall, at their own expense, execute the same as though it had been more particularly described, and provide whatever may be necessary to complete the whole in the best and most workmanlike manner, according to the true intent and meaning of the said specifications and drawings, and any addenda thereto; and the decision of the Engineer for the time being in charge of the work shall be final and conclusive between the parties as to such true intent, and the correction of any such error, omission or mis-statement, shall not be taken to be, or alleged or claimed to be, an alteration in, or deviation from, the works hereby contracted for.

Clause Third.—That the said contractors, their executors or administrators, shall not make any alterations in, or additions to, deductions, omissions, or deviations from, the work described in the specifications, and as shown on the sections, plans and drawings, unless such alterations, additions, deductions, omissions or deviations shall have been first approved by the Directors of the said Company, by a resolution of the said Directors, communicated to the said Contractor in writing, signed by the Secretary of the Company, and in the event of any such alterations being so approved, the value of any such alterations, additions, deductions, omissions or deviations shall be ascertained according to the schedule of prices hereto annexed, which is a true copy of the schedule of prices which was annexed to the tender of the said contractors, whereon this contract is based, and the amount thereof shall be either added or deducted from the amount of this contract, as the case may require, and the decision of the Engineer of the Company for the time being in charge of the work, as to whether any such alterations constitute an addition to or deduction from the work as contemplated by the said specifications, shall be conclusive between the parties hereto, and the certificates of such Engineer shall be corrected accordingly: Provided always that nothing in this clause contained shall be construed to make any correction of any error, omission or mis statement in the said specifications or drawings, referred to in the last preceding clause, an alteration in, or deviation from, this contract.

Clause Fourth.—That the said contractors, their executors or administrators, shall not execute or perform any work in the nature of extras, or an extra or any work not contemplated by the said specifications and drawings, and shall not nor will make any claim or demand, or bring any action or suit against the Company in respect of any matter or thing

claimed, or alleged to be such extras or extra, unless a sealed contract shall be duly executed and entered into by and with the Company in respect of such extras, or unless such extra or extras shall have been first approved by a resolution of the Directors of said Company communicated to the said contractors in writing, signed by the Secretary of the Company, or unless the same be required to be done by the order in writing of the Company's Chief Engineer, which resolution or order shall contain a statement of the prices or sum at which such extra or extras shall be performed, and upon such a resolution or order being so communicated, such extra or extras respectively shall become incorporated with this contract, and shall be payable for hereunder upon the certificates of the Engineer of the said Company for the time being in charge of such extra work, in the same manner and in the same proportions and at the same times respectively, as payments for the work in the said specifications and drawings mentioned are hereby agreed to be made.

Clause Fifth.—That all extra work, as aforesaid, which shall be undertaken by the said contractors, their executors or administrators, or which shall be commenced to be performed by them under and in pursuance of any such resolution or order as aforesaid, shall be executed in the best and most workmanlike manner, of the best materials of their several kinds, and at such prices as shall by such resolution or order as aforesaid be provided, and to the complete satisfaction of the engineer of the Company for the time being in charge of such extra work, and all the clauses, conditions and agreements in this contract contained shall henceforth apply to such extra work in like manner and to the same extent as herein is provided in relation to the works mentioned in the said specifications, sections, plans and drawings.

Clause Sixth.—That all the materials, horses, engines, tools, implements or plant, brought or left by or by the order, or on account of the said contractors, their executors or administrators, on or near to the site of any works to be done under the contract hereby entered into, for the purpose of being used or employed in or about the same, or such of the said materials, horses, engines, tools, implements and plant respectively as shall not be returned or removed under the order of the engineer of the said Company for the time being in charge of the said works, according to the provisions hereinafter in that behalf contained, shall, from the time of their being so brought and left as aforesaid, become and be considered as the property of, and as belonging to the said Company, subject to the purposes of the works for which they shall be so brought or left, and to such agreements respecting the same as are hereinafter contained for the benefit of the said contractors, their executors and administrators, and the same or any part thereof shall on no account be taken away by them or any other person or persons whomsoever, or used or disposed of except for the purposes of the said works, without the special license and consent of the engineer of the Company for the time being in charge of the said works, to be given in writing under his hand; but the said Company shall not be answerable for any loss or damage of or to the said materials, horses, engines, tools, implements or plant, by theft or accidental or other injuries, by weather, or otherwise howsoever: Provided always that upon the completion of the works hereby contracted to be done, such completion to be certified as hereinafter mentioned, and upon payment by the said contractors, their executors or administrators, of all such moneys, if any, as shall be due from them to the said Company, under any of the covenants herein contained, and in the full performance of the said covenants, such of the said materials, horses, engines, tools, implements and plant as shall have been provided by the contractors at their own expense, and as shall not be used and converted in the said works, and shall remain undisposed of in the possession or custody of the said Company, shall be delivered up or relinquished by them to the said contractors, their executors or administrators, upon the condition of their removing the same immediately thereupon at their own costs from the premises of the said Company, which they shall be at liberty to do.

Clause Seventh.—That in case any material or materials not corresponding with the said specifications, or in the opinion of the engineer of the Company for the time being in charge of the said works, not sufficiently sound or suitable for the said respective works, shall at any time or times be brought to the intended works, or any part thereof, it shall be lawful for the engineer of the said Company for the time being in charge of the said works to require the said contractors, their executors or administrators, to remove the same from off the Company's property, and to provide sound, proper and suitable materials in accordance with the said specifications, and to the satisfaction of the said engineer; and in case any part of the said works shall have been executed in an improper manner as regards the workmanship, or with

improper or unsuitable materials, not in accordance with the said specifications and drawings, or the instructions given by the said engineer, it shall be lawful for such engineer, as aforesaid, to require the said contractors, their executors or administrators, to take down and remove such part or parts of the work so improperly executed, and to re-execute the same in a good, sound and workmanlike manner; and if after seven days' notice to the said contractors, their executors or administrators, or their foreman of the works, such unsound or unsuitable materials shall not be removed and taken away from off the said Company's property by the said contractors, their executors or administrators, it shall be lawful for the engineer of the said Company for the time being in charge of the said works to cause the same to be removed to such place or places as he shall think fit; and if after twenty-four hours' notice to the said contractors, their executors or administrators, or their foreman, such works so improperly executed shall not have been taken down or removed, it shall be lawful for the engineer of the said Company for the time being in charge of the said works to cause the same to be taken down and removed to such place or places as he may think fit, and the work to be re-executed by such workmen as he shall think competent, and in a manner in accordance with the said specifications, or the instructions of such engineer from time to time given, without any liability on his own part, or on that of the Company, for any loss which may arise to the said contractors, their executors or administrators, or damage which may happen to the works in removing such improper materials, or in taking down and removing such improper works, or in substituting other materials, or in causing the work to be re-erected in a more workmanlike manner; but in any of such cases the said contractors, their executors or administrators, shall pay all such costs, charges and expenses as shall be incurred in the removal of such materials, or in the taking down and removal of such work, or in substituting other materials, or in the re-erection of the said works, and the costs, charges and expenses attending the same shall forthwith be repaid to the said Company by the said contractors, their executors and administrators, or the said Company may, in their discretion, retain and deduct the same from the amounts then and at any time thereafter payable to the said contractors, their executors or administrators, by virtue of these presents.

Clause Eighth.—That if the engineer of the said works for the time being in charge of the said works shall at any time or times consider the number of workmen, horses, engines, implements, tools and plant, or building or other materials, respectively employed, or provided by the said contractors, their executors or administrators in, upon, or for the purpose of the said works, to be insufficient for the advancement thereof towards the completion of the same as hereinbefore mentioned, or that the said respective works are not proceeding with due diligence and despatch, then, in every such case, it shall be lawful for such engineer, by written notice or notices under his hand, to be delivered to the said contractors, their executors, administrators, foremen, or any of them, or left at the last usual place of abode or business of any one or either of them within this Province, to provide such an additional number of workmen and such additional horses, engines, implements or plant, and building or other materials, as such engineer may think necessary or expedient to be kept, or employed, or provided for the purpose aforesaid, either until the completion of all or any of the said works, or for a limited period, as by such written notice or notices shall be required; and in case the said contractors, their executors or administrators, shall not thereupon, or within a reasonable period, as may be required by such notice or notices, in all respects comply with the same, then and in every such case it shall be lawful for the said Company or their agents, on account of, and at the costs of the said contractors, their executors or administrators, to provide and employ such additional workmen for such time, and to provide such additional horses, engines, implements, plant and materials respectively as shall have been required in and by such notice or notices as aforesaid, and to pay such additional workmen such wages, and for such additional horses, engines, implements, plant and materials respectively, such prices as the said Company, or their engineer for the time being in charge of the said works may think proper, all which wages and prices respectively, if paid by the said Company, shall thereupon be repaid to them by the said contractors, their executors or administrators, or the said Company shall be at liberty to retain and deduct the same out of any moneys which shall be then due, or shall thereafter become due from them to the said contractors, their executors or administrators, by virtue of these presents; and the said Company shall be at liberty to use, in the execution or advancement of the said works, not only the horses, engines, implements, plant and materials

provided by them as aforesaid, but also any horses, engines, implements, plant and materials provided by the said contractors, their executors and administrators.

Clause Ninth.—That in case the said contractors, their executors or administrators, shall not continue to execute or advance the said works to the satisfaction of the engineer of the Company for the time being in charge of the said works, or shall, from any cause whatever other than the acts of the said Company, their authorized engineer, or agent, be prevented from, or delayed in, proceeding with or completing the said works according to this present contract, and if such default, impediment or delay shall continue for seven days or more next after notice in writing, signed by any two of the directors of the said Company, or by the engineer of the said Company in charge of the said work, requiring the said contractors, their executors or administrators, to put an end to the said default, impediment or delay, shall have been given to them, or any of them, or left at any of their usual or last place of abode or business within this Province, or if, before the completion of this contract, the said contractors, their executors or administrators, should become insolvent, or should abscond from, or should cease to reside in this Province, or shall neglect either personally, or by skilful and competent foremen, or a skilful and competent foreman, to superintend the said works, then in any of such cases it shall be lawful for the said Company, by a resolution of the directors thereof, communicated in writing, signed by the Secretary of the Company, and left at the last or usual place of abode or business of the said contractors, their executors or administrators, or delivered to their foremen, or to any of them, absolutely to determine this contract, and in such case the moneys which shall have been previously paid to the said contractors, their executors or administrators, shall be considered accepted and taken by them in full payment and satisfaction for the works in respect whereof such payments shall have been made; but all materials, horses, engines, tools, implements and plant provided by them for the purposes of the said works, shall remain the property of the said Company, who shall be at liberty to use, apply and dispose of the same respectively, for the purpose of the work hereby agreed to be performed, until the execution and completion thereof, when the same shall revert to the said contractors, their executors or administrators, without any allowance for the wear, tear, loss or injury they may have sustained, under and according to, and subject to, the like provisions as are hereinbefore in the last preceding clause contained.

Clause Nine *a*.—Provided always, that the contractors, having provided a proper number of workmen, horses, implements, plant and materials, as herein before provided, shall be deemed to be carrying on the said works with due diligence and despatch so long as they work their own and the Company's plant to their full capacity, such relative working and capacity to be determined by the said Company's chief engineer.

Clause Tenth.—That the said contractors, their executors and administrators, shall be responsible for all damages claimable by any person or persons whomsoever in respect of injury to persons or to lands, buildings, crops, cattle or other property occasioned by the said contractors, their servants, agents or workmen in performing the works hereby contracted for, and shall and will, at their own expense, make such temporary provisions as may be necessary for the protection of persons or of lands, buildings, crops, cattle or other property in and during the performance of the said works; and in case any claim for any such damage be made, and the said contractors, their executors and administrators, neglect to settle the same within two weeks from the serving upon them or their agents or foreman or any one of them, of a written claim for such damage, the said Company shall be at liberty to settle the same as they may deem expedient and just, and the said contractors, their executors or administrators, shall forthwith repay to the said Company such sums as they shall have paid in respect thereof, or the said Company may in their discretion retain and deduct the same from the amounts then or at any time thereafter payable to the said contractors, their executors or administrators, by virtue of these presents, provided the railway line be fenced in by the said Company.

Clause Eleventh.—That the said contractors, their executors or administrators, shall not have or make any claim or demand, or bring any action or suit against the said Company for any damage or damages which may be, or may be alleged to be, sustained by reason of any delay in the progress of the work, arising from the acts of the said Company or their agents, but in the event of any such delay, the said contractors, their executors or administrators, shall have further time for the completion of the works, equivalent to such delay (but no longer), without being subject to any suit, claim or demand of the said Company in respect thereof: Pro-

vided that the whole work be completed to Orangeville on or before the first day of July, 1871, if the Company do provide the contractors with engines and plant, as provided in the said specifications, competent to do the work within that time.

Clause Twelfth.—That no works hereby contracted to be executed, or any part thereof, shall be deemed to have been executed, nor shall the said contractors, their executors or administrators, be entitled to payment for the same, unless the same shall have been executed to the satisfaction of the Engineer of the said Company for the time being in charge of the said work, and shall have been certified by him to have been so executed.

Clause Thirteenth.—That the said Company shall be at liberty to alter the line or level of the said Railway or any part thereof, and in case any such alteration be made by which the amount of work to be done shall be decreased, no compensation shall be claimable by the said contractors for any loss of anticipated profits in respect thereof; and in case any such alteration be made by which the amount of work to be done shall be increased, the same shall be deemed to be extra work, and shall be authorized and performed in manner hereinbefore provided with respect to extras.

Clause Fourteenth.—That the said contractors, their executors or administrators, shall not nor will make any assignment of this contract, or any sub-contract, for the execution of the works hereby contracted for, or any part thereof, unless a notice in writing shall have been first given by the said contractors, their executors or administrators, to the Chief Engineer of the said Company, of such proposed assignment or sub-contract, nor unless such proposed assignment or sub-contract shall have been first approved by a resolution of the Directors of the said Company, communicated in writing to the contractors, their executors or administrators, signed by the Secretary of the said Company, and no such assignment or sub-contract shall exonerate the said contractors, their executors or administrators, from their liability, under this contract, for the due performance of all the matters herein comprised; and further, in the event of any such assignment or sub-contract being made without such approval as aforesaid, then the said contractors, their executors or administrators, shall not make any claim or demand upon the said Company for any future payments under this contract for any further or greater sum or sums than the sum or sums respectively at which the work or works so purported to be assigned or sub-contracted for shall have been undertaken to be executed by the party or parties respectively accepting such assignment or sub-contract; and it shall further be competent for the said Company, in the event aforesaid, by a resolution of the Directors of the said Company, if the said Directors shall think fit, to declare this contract wholly forfeited, and to charge and recover from the said contractors, their executors and administrators, all costs, charges and expenses attending the completion of the same, and all damages occasioned by any delay thereby caused in the completion of the same.

Clause Fifteenth.—That the contractors shall commence the works hereby contracted to be performed forthwith, and shall diligently and continuously prosecute the same, and the same shall be completed in the manner and at the time specified in the first clause hereof, time being declared to be material and of the essence of this contract; and in case of default of completion in the manner and at the time specified in the said first clause, the said contractors, their executors or administrators, shall forfeit all right and claim to the said fifteen per cent. to be deducted from the payments to be made as herein provided, and the Company shall be at liberty to retain the same as liquidated damages for such failure (subject to the conditions hereinbefore contained respecting delays).

Clause Sixteenth.—That the said contractors will protect and will not remove or destroy, or permit to be removed or destroyed, the stakes and marks placed on the line of the railway by the Engineer of the Company.

Clause Seventeenth.—And the said Company, in consideration of the premises, and in consideration of the covenants herein contained, on the part of the said contractors, their executors and administrators, hereby covenant with the said contractors, their executors and administrators, that the said Company shall and will pay to the said contractors, their executors or administrators, for and in respect of the works in the said specifications and drawings mentioned, and hereby contracted to be executed, and the materials and articles to be provided and used in the execution and performance of such works, the several prices or sums set out in the schedules hereunto annexed, by monthly payments, and in the proportions following—that is to say, on the twelfth day of each month after a certificate shall be made and signed by the Engineer of the said Company, as mentioned

and referred to in the said specifications hereunto annexed, who shall, at the end of every month, if thereunto required by the said contractors, give such certificate to the said contractors or state in writing his reasons for not doing so, as, and in lieu of a certificate, the said Company shall and will pay to the said contractors, their executors or administrators, the amount in such certificate mentioned as being due to the said contractors under this contract, for work done and materials supplied, after making due allowance on all additions or deductions as aforesaid, less fifteen per cent. thereof reserved until the completion of the said work, and shall and will pay the balance which may remain due to the said contractors, their executors or administrators, on completion of the said works, within fourteen days next after the Engineer of the Company for the time being in charge of such works shall have certified in writing under his hand, that the same are completed in accordance with the terms of this contract to his complete satisfaction, and shall also in like manner have certified what balance (after making due allowance for all such additions or deductions as aforesaid, as the case may be,) is due under this contract to the said contractors, their executors or administrators, and, after making all proper charges against the said contractors, their executors or administrators, in accordance with the terms of this contract. And the said Company shall and will, by like monthly payments, and upon like certificates, and in like proportions, and subject to the like allowances and charges, pay to the said contractors, their executors or administrators, for any such extras as aforesaid, the prices or sums in that behalf hereinbefore provided to be approved as aforesaid and the said fifteen per cent. shall not be deducted from payment for extras.

Clause Eighteenth.—That the said Company will provide the land required for ballast pits and access thereto, but no more, nor for any other purpose.

Clause Nineteenth.—And it is hereby lastly agreed, that all matters of difference arising between the parties hereto, the decision whereof is not hereby given to the Engineer in charge of the works, shall be referred to the arbitration of two persons, who shall choose a third, the decision of any two of whom shall be final; and such arbitrators shall be appointed in the manner following, namely, upon any dispute arising, the Company shall appoint one arbitrator, and notify the said contractors, their executors or administrators, by writing signed by the Secretary of the Company, and delivered to the said contractors, their executors or administrators, or their agents or foremen, or any one of them, of such appointment, and the said contractors, their executors or administrators, shall thereupon, within ten days, appoint the other arbitrator, and the two so appointed shall appoint the third, and the matter in dispute shall be heard and an award made in respect thereof within one month from the appointment of the arbitrator by or for the contractors, or such time as both parties may agree in writing to extend the same; and, in case of neglect or refusal by the said contractors, their executors or administrators, to appoint an arbitrator within ten days, as aforesaid, the said Company shall be at liberty to appoint a second arbitrator, and the two arbitrators appointed by them shall then proceed to the appointment of a third, and to the hearing of the matters in dispute, and award thereon as aforesaid; but no hearing shall take place unless at least three clear days' notice thereof be given to each of the parties hereto. And in case the Company neglect to appoint an arbitrator, the contractors may appoint one and notify the Company to appoint a second.

And the said parties of the second part hereby, each for himself, his executors and administrators, jointly and severally covenant with the said Company, that the said contractors, their executors and administrators, will well and truly perform the works hereinbefore mentioned, and abide by, keep and perform all the covenants, clauses and conditions contained in these presents and in the said tenders, specifications, plans, sections and drawings; and that in case of any failure therein, the said parties of the second part, their executors and administrators, respectively, will pay and reimburse to the said Company any loss or damage which they may sustain in consequence of any and every such failure: Provided, nevertheless, that the liability hereby assumed by the said parties of the second part shall not exceed the extent or sum of ten thousand dollars, and the said Company shall not be entitled to claim or recover from them any greater sum than ten thousand dollars, or in case of two or more failures, any more or greater sums in respect thereof than shall amount in the aggregate to ten thousand dollars.

In witness whereof, the said parties of the first and second parts have set their hands and seals, and the said Company have set their corporate seal.

Signed, sealed and delivered in the presence of (Signed) W. H. Beatty,
As to the signatures of John Wardrop and John Ryan.
(Signed) John J. Hayes.

John Wardrop. [Seal.]
John Ryan. [Seal.]
M. P. Ryan. [Seal.]
John Donnelly. [Seal.]

Toronto, Grey and Bruce Railway

Ballasting and Track Laying.

Schedule of Prices.

		$ cts.
1.	Ballasting complete, per lineal yard, as described in clauses Nos. 4, 5, and 6 of the specification	0 40
2.	Extra ballast, where ordered, per cubic yard	0 25
3.	Bottom ballast, on account, per cubic yard	0 25
4.	Track laying, single track complete, per lineal yard, bridges and guard rails included	0 14¼
5.	Extra price, one set of sliding rails and frog, two throw (See clause 23.)	25 00
6.	Extra price, one set of sliding rails and frog, three throw (See clause 23.)	50 00

Note.—The track through sidings will be measured on the main line, and also on the siding, in each case from toe of sliding rail.

I (or we) hereby tender for the execution of the whole of the work required in ballasting and track laying for the Toronto, Grey and Bruce Railway, from Weston Junction to Arthur Village, at the prices above stated, and agree to execute a contract when called upon to do so, and to find sureties to the extent of ten thousand dollars for the due fulfilment of the same.

Toronto, Grey and Bruce Railway.

Specification of Ballasting and Track-Laying.

1. Ballast pits are provided by the Company at various places along the route of the line, and the contractor will have to see that the fences around them are properly maintained. He will have to lay and provide at his own cost the sidings in all such ballast pits, as he may have to work by means of a locomotive and cars. The ballast is to consist of clean gravel, coarse clean sand, or broken stone, no stone being larger than will pass through a 2½ inch ring any way, and no material is to be used which is not first approved by the Chief Engineer. The soil, loam, clay, or fine sand, as the case may be, must be carefully stripped off the ballast at the contractor's expense, and the pits must be left in good order when done with.

2. One locomotive and twenty platform cars, capable of carrying six cubic yards of ballast each, will be provided by the Company for the purposes of ballasting. The train will be in charge of a conductor appointed by the Company, whose own engineer and fireman will run the locomotive, but brakesmen will be found and paid by the contractor; and one locomotive and ten platform cars will also be provided for carrying materials for track-laying, on similar conditions.

3. The contractor will have to provide all fuel and water required for the locomotive, but oil, grease, &c., will be found by the Company; and any damages done to the rolling stock by the negligence of the contractor will have to be made good at his expense.

4. The ballast is to be laid upon the formation, which has been trimmed as nearly as possible to the true form shown on the drawing of the transverse section of the roadway, but the contractor will in all cases have to put a sufficient quantity of ballast upon the formation to raise the upper surface of the rails to the levels given by the Engineer of the company, whose decision as to the true level shall be final.

5. There will be 12 inches in thickness of ballast underneath the ties, and it will be 11 feet 6 inches in width at the bottom and trimmed to a width of 8 feet 6 inches at the level of the top of the tie—the total average depth being 18 inches in all.

6. The total quantity of ballast will be in no case less than two thousand seven hundred and fifty cube yards per mile of track when completed and boxed up, and the quantity paid for will be measured at this estimate per lineal yard of track where laid on the main line, and no more. In sidings the actual quantity delivered will be measured up when in place and trimmed off.

7. In all cases where practicable the bottom 12 inches of ballast will have to be put on the line before the track is laid, and at every ballast pit at least half a mile from each extremity of the pit shall be so done, and carefully levelled to receive the ties.

8. The ties are distributed along the whole route of the line; these will have to be placed in position from where they now are, by the contractor, and no tie shall be used in the road which does not bear the stamp of the Company. If any are (contrary to this) put in, they shall be removed at once, and replaced at the expense of the contractor.

9. The rails and fastenings will be delivered by the Company to the contractor at the Western Junction.

10. The contractor will have to satisfy himself that the quantities of the material delivered to him from time to time are such as are represented, and he will have to sign a receipt for the same, as he will be held responsible for them after they are placed in his possession.

11. The rails weigh 40 lbs. per yard, are flat-bottomed, and in lengths generally of 22 feet 6 inches, with ten per cent. in lengths of 20 feet and 17 feet 6 inches. In addition to these shorter lengths, 5 per cent. of the rails are one inch short, and marked C 1; 3 per cent. two inches short, and marked C 2; 1 per cent. three inches short, and marked C 3; and ½ per cent. four inches short, and marked C 4. These rails so marked are provided for use on curves, to avoid cutting as much as possible, those marked C 1 being for curves of longest radius, and those marked C 4 for curves of the shortest radius, and must be reserved for that purpose.

12. The fish-plates, fish-bolts, dog spikes, clips and fang bolts, are shown in detail on the drawings, and the contractor will have to exercise especial care not to lose any of these smaller articles, as he will be charged by the Company with the cost of replacing any which may be missing.

13. Wherever practicable, no track shall be laid until the bottom ballast is on the line. This shall then be carefully levelled to receive the ties, which shall be spaced 2 feet 6 inches apart from centre to centre, a tie of the largest scantling available being placed under each joint, and great care being taken that the ties are laid square to the centre line. Every tie is to be adzed under the seat of the rail, so that it may be fairly and properly bedded across the whole face.

14. The rails are to be laid in the exact straight line or curve as the case may be, care being taken that on all curves they are bent to the true radius, and that the joints of the rails are over the centre of the joint tie, and exactly opposite one another. If any departure from this cannot be corrected by the use of the short rails specially provided, a few rails must be neatly cut on the ground, and fresh holes drilled for the fish plates.

15. The rails must be truly laid to a gauge of 3 feet 6 inches, except on curves, where they are to be laid ¼ inch wide, and on curves of 600 feet radius and under ⅜ inch wide.

16. Such super-elevation must be given to the outer rail on curves by adjusting the ties as shall in each case be ordered by the Chief Engineer.

17. The rails must be laid truly vertical, and their upper surfaces must be in the same plane when the ties are level, no inward inclination or cant to be given.

18. Due allowance for expansion and contraction must be made at the joints, which must be laid wide in cold weather, and close up on very hot days.

19. When the rails are linked together by means of the fish-plates, the holes in the ties for the fang-bolts are to be bored truly vertical through the iron clip, with an auger, and kept true to gauge, and the fang-bolts screwed up tight in the fang-nuts, before the dog-spikes are driven, which must in every case bear well against the rail.

20. When bottom ballast cannot be put on before the track is laid, and will have to be put on afterwards, the ties will have to be carefully packed and the track kept in good line, and with an even top, while it remains without ballast; no lift of more than four inches will be allowed, and no length of less than half a mile at a time. No train shall be allowed to run over any portion of the line which is not fully ballasted, at a speed exceeding 12 miles an hour.

21. If any ballast is drawn over the track by horses, the ties shall in all cases be kept properly covered with ballast, to keep them from injury by the horses' feet, and great care must be exercised to pack the ends of the ties before running trains over the line, so as to prevent the hardness of the ballast in the centre from fracturing or otherwise injuring the tie.

22. Guard rails will be laid to the inner rail of every curve of 600 feet radius and under, and two spikes instead of one will be driven outside the outer rail, on all sharp curves.

23. The contractor will have to make all sliding rails, frogs, and guard rails for crossings out of the rails supplied by the Company, who will also supply the necessary chairs, levers, &c., for the same. These will have to be put in at such places as the Chief Engineer shall direct, and finished off to his satisfaction.

24. The whole of the work will have to be laid, kept, and left in thoroughly good order, in proper line, with all slacks taken out, the ties well packed, the ballast topped up to its full quantity, and neatly finished off, to the entire satisfaction of the Chief Engineer.

25. No portion of the track laying will be allowed to be sublet, and none of the ballasting except the getting and filling at the pit, and unloading from the ballast cars.

26. The contractor shall have a thoroughly competent track layer in charge of each gang of men employed on this portion of the contract, and the Company shall have power to dismiss any person in charge of a gang whom the Chief Engineer shall consider incompetent.

27. The drawings are to be taken with this specification, and they are together to explain each other: the contractor shall execute and carry out all work connected with the ballasting and tracklaying which may be required, whether the same shall have been more particularly described or not, and shall include the payment for so doing in his price for each work in the accompanying schedule of prices.

28. The above specification applies equally to main line and sidings.

29. Measurements will be made monthly, and payments made on the 12th of each month, for work done during the preceding month, fifteen per cent. of the amount of the Chief Engineer's certificate being retained until fourteen days after the completion of the contract is certified by the Chief Engineer, which final certificate the said Chief Engineer shall have no power to withhold without reasonable cause.

EDMUND WRAGGE,
Chief Engineer.

Toronto, 9th July, 1870.

(Copy.)

B.

THE TORONTO, GREY AND BRUCE RAILWAY,
Engineer's Office, Toronto, 29th June, 1871.

DEAR SIRS,—I am sorry to find from the returns I am receiving from the Ballast Pits, that you are not working the engines and cars up to anything like their capacity.

Yesterday, at Thomson's Pit,* the engine was kept waiting in the pit, between trips, a total time of 4 hours and 25 minutes from lack of a sufficient number of men on your part.

On the 27th June (I have no return yet of yesterday's work), at Pit No. 1.,† the engines were detained at the pit, before noon, 2 hours and 42 minutes, to say nothing of detention at the passing siding, which was doubtless as I have usually found it, considerable.

I must really insist upon you doing better than this, it is too bad this continual delay and I cannot put up with it any longer. One engine can do the work two are doing at No. 1. Pit, easily, and the other should be sent at once to Caledon, either to Nixon's Pit or Baxter's Cut.

I am, dear Sirs,
Yours faithfully,
(Signed) EDMUND WRAGGE.

Messrs. Wardrop & Co.,

Thomson's Pit is at Woodbridge.
Pit No. 1, Five miles from Weston.

(Copy.)

C.

THE TORONTO, GREY AND BRUCE RAILWAY,
Engineeer's Office, Toronto, 18th July, 1871.

GENTLEMEN,—As I do not consider the works between Weston and Orangeville are being proceeded with with diligence and dispatch, in accordance with the terms of the contract between this Company and yourselves, I beg to give you notice of my intention to place a force of men upon the work in Caledon upon Monday next, the 24th inst., at Baxter's Pit and Nixon's Pit, unless in the meantime you shall have put on a sufficient number of men there yourselves, say 20 men at the former and 50 at the latter place, without reducing your operations between Weston and Bolton, as, after completing the work there, I shall expect you to commence with those men and materials at the Charleston Ballast Pit.

I am, Gentlemen,
Yours obediently,
(Signed) EDMUND WRAGGE,
Chief Engineer.

Messrs. Wardrop & Co.,
American Hotel.

(Copy.)

D.

To John Wardrop, James Fitton and John Ryan.

You are hereby again notified that you have not continued to execute and advance the works under your contract with the Toronto, Grey and Bruce Railway Company, dated the twenty-fourth day of October, A.D. 1870, for the track laying and ballasting of that section or portion of the said Railway extending from Weston Junction to the Village of Orangeville, to the satisfaction of the Engineer of the Company, for the time being in charge of said works, and you are hereby notified and required to put an end to the default, impediment and delay in the execution of the said works, and that if such default, impediment and delay shall continue for seven days or more next after this notice in writing (which is signed by two of the Directors of the Company and by the En-

gineer of the Company in charge of the said works) shall have been given to you or any of you, or left at any of your usual or last place of abode, or business, within this Province, the said Company shall, by a resolution of the Directors thereof, absolutely determine the said contract as provided by the clauses and conditions therein contained.

(Signed) J. McMURRICH, a Director.
H. S. HOWLAND, a Director.
EDMUND WRAGGE, Engineer of the Company, having charge of the works.

Dated this twenty-seventh day of July, A.D. 1871.

Served duplicate original on John Wardrop, on 28th July, A.D. 1871.
(Signed) C. F. DIXON.

Served duplicate original on James Fitten, on 29th July, A. D. 1871.
(Signed) CHARLES SPROATT.

Served duplicate original on John Ryan, on 1st August, A.D. 1871.
(Signed) C. F. DIXON.

(Copy.)

E.

Messrs John Wardrop, James Fitten and John Ryan.

GENTLEMEN,—I am instructed by the Board of Directors of the Toronto, Grey and Bruce Railway Company to forward you a copy of the resolution passed this day by them which is in the words and figures following:—

"Moved by George Gooderham, and seconded by Mr. Dixon:

"Whereas John Wardrop, James Fitten and John Ryan, the contractors for the execution of the ballasting and tracklaying work in the construction of the Railway and works of the Toronto, Grey and Bruce Railway Company upon that portion or section of the said Railway extending from Weston Junction to the Village of Orangeville, have not continued to execute and advance the works under their contract with the Company, dated the twenty-fourth day of October, one thousand eight hundred and seventy, to the satisfaction of the Engineer of the said Company, for the time being in charge of the said works: And whereas due notice in writing, signed by two of the Directors, and by the Engineer of the Company in charge of the said works, has been duly given to the said contractors, requiring the said contractors to put an end to the default, impediment and delay in the execution of the said works, and notifying them that if such default, impediment and delay should continue for seven days or more next after the said notice in writing should have been given to them, or any of them, the said Company would, by a resolution of the Directors thereof, absolutely determine the said contract, as provided by the clause and conditions therein contained:

"And whereas the said default, impediment and delay has continued for more than seven days next after the said notice was given to the said contractors: Now, be it resolved by the Directors of the Toronto, Grey and Bruce Railway Company, that the contract of the said John Wardrop, James Fitten and John Ryan with the said Company, for the execution of the ballasting and track laying work in the construction of the Company's Railway and works upon the section or portion of the said Railway extending from Weston Junction to the Village of Orangeville, shall be absolutely determined:

"And the said Company hereby doth by this resolution of the Directors thereof absolutely determine and put an end to the same."

And you are hereby notified that, in accordance with your contract therewith, this Company has been absolutely determined and put an end to.

I am,

Yours truly,

W. SUTHERLAND TAYLOR,

Secretary Toronto, Grey and Bruce Railway Company.

(Copy.)

F.

TORONTO, 10th August, 1871.

Messrs. John Wardrop, James Fitten, and John Ryan.

GENTLEMEN,—I am instructed by the Board of Directors of the Toronto, Grey and Bruce Railway Company to forward you a copy of the resolution passed by them this day, which is in the words and figures following :

"Moved by John Morrison, seconded by H. S. Howland :

"That whereas, by the terms of the contract of John Wardrop, James Fitten and John Ryan with this Company, dated the 24th day of October, A.D. 1870, for the ballasting and track laying work in the construction of the Company's Railway and works extending from Weston Junction to the Village of Orangeville, the whole of the said work was to have been completed to Orangeville on or before the 1st day of July, A.D. 1871, if the Company did provide the said contractors with engines and plant, as provided in the specifications annexed to the said contract, competent to do the work within that time.

"And whereas the Company did provide the said contractors with engines and plant, as provided in the said specifications, competent to do the work within that time, yet the said work was not on the said 1st day of July, and is not now completed.

"Now, be it resolved, that the said contract be and the same is hereby rescinded and determined."

And you are hereby notified that, in accordance therewith, your contract with this Company has been absolutely determined and put an end to.

I am yours truly,

(Signed) W. SUTHERLAND TAYLOR,

Secretary Toronto, Grey and Bruce Ry. Co.

Copy of letter addressed by the Secretary Toronto, Grey and Bruce Railway Company to Mr. F. Shanly, on 12th August, 1871 :—

G.

TORONTO, 12th August, 1871.

F. SHANLY, Esq., Toronto.

DEAR SIR—The employees of the Company along the line from Bolton to Orangeville have been instructed to place the ballast pit and plant of the Company at your disposal on and after Monday, the 14th inst., and you are hereby instructed to proceed with the work between those points on the terms as settled between you and the Company's Chief Engineer.

I am, dear Sir,

Yours truly,

(Signed) W. SUTHERLAND TAYLOR,

Secretary and Treasurer.

(Copy.)

(H.)

TORONTO, GREY AND BRUCE RAILWAY.

Weston to Orangeville—Measurements for month ending 1st July, 1871.

Certificate No. 10, 12th July, 1871.

BALLASTING AND TRACK LAYING CONTRACT,
Messrs. WARDROP & Co., Contractors.

Quantity.		Description.	Rate.	Amount.
73,502	Lin yds.	Track laying	$ 12½	$9,187 75
29,920	"	Track finishing	1½	448 80
44,500	Cub. yds.	Ballasting	25	11,125 00
14,785	"	Extra ballast	25	3,696 25
5,095	"	Stripping	20	1,019 00
35	"	Sets frogs	25 00	875 00
44	Miles unloading rails		15 00	660 00
	Hauling ties, unloading engines, cars, etc			228 75
8,000	Ties, extra and labour		10	800 00
24	Miles track laying, in winter extra price allowed per mile		50 00	1,200 00
19,845	Ties, extra cost of delivering in Caledon and Albion		3	595 35
				$30,240 17
	Deduct former payment			26,674 97
				$3,565 20

I hereby certify that the above sum of three thousand five hundred and sixty-five dollars and twenty cents, less a deduction of fifteen per cent., to be a fair advance to the contractors, Messrs. Wardrop & Co., for work done by them under their contract with the Company.

$3,565 20	
534 78	15 per cent.
$3,030 42	

(Signed) EDMUND WRAGGE,
Chief Engineer.

(Copy.)

I.

TORONTO, GREY AND BRUCE RAILWAY.

Weston to Orangeville—Measurements for month ending 29th February, 1872.

Certificate No. 5th March, 1872.

BALLASTING CONTRACT,
Mr. FRANK SHANLEY, Contractor.

Quantity.	Description.	Rate.	Amount.
42716	Cub. yds. ballast	30	$13,114 80
	Putting in fang bolts, Caledon		330 50

Maintenance of track.....	$525 50
Crossings complete, Alton.....	75 50
" " Mono Road...	60 50
	$14,106 80
	12,939 90
	$1,166 90

I hereby certify this is a final certificate of work done under this contract unless reopened.

(Signed) EDMUND WRAGGE,
Chief Engineer.

THE TORONTO, GREY AND BRUCE RAILWAY,
Engineer's Office, Toronto, 25th Oct., 1871.

(Extract.)

To the President and Directors of the Toronto, Grey and Bruce Railway.

"GENTLEMEN,—In compliance with your request, I beg leave to make the following Report as to the progress of the ballasting and track laying between Bolton and Mount Forest.

"1st. Between Bolton and Orangeville—The contract was taken out of Mr. Wardrop's hands on the 12th of August last, at which time he had placed upon the road 7,500 cubic yards of ballast; Mr. Shanley commenced work that day, and had the work sufficiently far forward to enable us to reach Orangeville on the 18th day of September. The quantity of ballast moved up to that time amounted to 22,244 cubic yards, in addition to that done by Messrs. Wardrop & Co.

"Up to the present date the total quantity of cubic yards of ballast put upon this section of the road amounts to 39,823 cubic yards out of a total quantity of 60,000 cubic yards which I estimate were required from the time we commenced

"I do not contemplate putting any more ballast on this section this year, as this quantity is fairly distributed over the whole length, and is sufficient to make it in running order for the winter. At the opening of spring some considerable amount of work will, in any event, have to be done to the road, and then will be the time to complete the full quantity of ballast.

"I have made a comparison of the quantity of ballast moved per mile of engine per day between Weston and Bolton by Messrs. Wardrop & Co., and between Bolton and Orangeville by Mr. Shanley, and I find that the average quantity per day by the former was 297 cubic yards moved by each engine an average distance of 2¼ miles; the quantity moved by Mr. Shanley was 303 cubic yards, moved by each engine an average distance of 4¼ miles, or very nearly double the work out of the rolling stock."

I have the honour to be, Gentlemen,
Your obedient servant,
(Signed) EDMUND WRAGGE,
Chief Engineer and General Manager.

THE TORONTO, GREY AND BRUCE RAILWAY,
General Manager's Office, Toronto, 28th Dec, 1875.

HON. O. MOWAT,
Attorney-General.

SIR,—Referring to an interview I had with you this afternoon, I have the pleasure to hand you herewith a copy of a Report as to the condition of the Toronto, Grey and

Bruce Railway, made during the present month by A. W. Schwieger, Esq., C.E; and also a statement prepared to show the present financial position of the Company, and the earnings and expenditure during the five months ending 30th November, 1875.

I have the honour to be, Sir,
Your obedient servant,
(Signed) EDMUND WRAGGE,
General Manager.

TORONTO, 15th December, 1875.

JOHN GORDON, Esq.,
President T. G. & B. Railway.

SIR,—I received through Mr. Gzowski your letter of the 1st inst., requesting me to examine and report upon your Railway. I have called upon Mr. Edmund Wragge, your Chief Engineer, and have obtained from him the necessary information, and he has also kindly accompanied me upon my tour of inspection.

The track I consider in a very fair condition, although a good deal of the iron is becoming considerably worn, so that it will require a gradual renewal. The section between Toronto and Orangeville having by far the heaviest traffic to sustain should, in my opinion, receive the earliest attention. I find that some portions of it are already laid with heavy iron (56 lbs to the yard); some of it is badly worn. I think it would be advisable to begin, with renewals to the extent say of 500 tons of new rails in 1876, 750 tons in 1877, and 1,000 tons in 1878, with renewals to that extent, and changing to other parts of the road what may be used of old iron, the road may be maintained in good working order, that progress to continue till the entire division is re-laid with 56 lb rails. I would further suggest, if possible, the advisability of renewing with steel rails, which, although a little more expensive, would in the end be a material saving. The wearing of these rails is very much less, consequently the track is easier and cheaper to maintain in good order, and thereby save the rolling stock to a very great extent.

The ties are at present good enough, but some of them must be replaced before long. I estimate that 35,000 will be wanted next season and afterwards about 50,000 annually.

The structures at present appear sound and in safe condition, but being nearly all constructed of wood they will necessarily require to be carefully watched and gradually replaced. I allude more particularly to the trestlework, of which I find there is over a mile on the road, and as the streams are generally not large, I think smaller but more solid structures should be built over them and the present trestles filled up. Mr. Wragge coincides in that opinion, and he has already commenced in one or two instances to follow that plan, which he carries out at a trifling expense, as nearly all the work of filling is done by the road men. The material used for this purpose is taken from the various cuttings in the vicinity by widening them, which is a great advantage in the time of snow drifts. The truss bridges are in good repair and will require little or no work upon them for say five years; then I should estimate the outlay required to be from $3,000 to $4,000 per annum until they are all replaced. The renewals or filling in of the trestlework I would suggest to be proceeded with without delay, at an annual outlay of from $2,000 to $3,000. If the contemplated change of the station ground at Mount Forest is made, there would be no necessity to renew the expensive structure at that place, and the expense of moving the station buildings should be met, at least to a great extent, by the inhabitants of that village, as they would derive a great advantage from the change in the location of the station.

The rolling stock I consider to be generally in good order, and the new freight engines, and the large box as well as flat cars appear to be particularly well adapted to the road, and I think the equipment is sufficient to do a larger business than has hitherto been done. I arrive at this conclusion from the following facts. The average traffic for the last five months has hitherto been at the rate to yield an annual gross traffic of $390,000. During the month of October, one of the five months on which the above calculation is based, the traffic amounted to $37,537, which, multiplied by twelve months, would give an annual traffic of $450,000. The traffic during the month of October was

carried without additional equipment or undue strain on the present one; I therefore am of opinion that the present equipment can be worked to earn at the present rates a traffic of nearly $600,000 per annum.

The heavy grades on your line are chiefly between Toronto and Orangeville Junction; their extent is from 18 to 20 miles, in different lengths. The most objectionable grades are on the east side of the bridge at the Humber Valley, and trains bound east, if heavily loaded, have to be divided at Woodbridge station, causing a delay of about half an hour. With the exception of the locality alluded to, there is, under ordinary circumstances, no other part of the line where it is necessary to divide trains; and the usual speed of freight trains, 10 miles; accommodation trains, 16 miles, and mail trains, 20 miles an hour, running time, is generally maintained.

The sharpest curves on the railway are about 500 feet radius; but do not appear to interfere seriously with the working of the line, the rolling stock being specially suitable to work upon them.

The extent of bridging, being about 1,100 feet of truss bridges and 5,800 feet of trestlework, in 193 miles of your railway, may be considered as unusually small, and will be lessened when the structure at Mount Forest is abandoned, and a great part of the trestlework filled in, all of which will very materially decrease the cost of maintenance of way.

I observe by the traffic returns that the receipts during the first three months of the present year have been very seriously reduced, through the interruption of the traffic by the snow blockade, during that time, and that $26,000 were expended in endeavouring to keep the track clear of snow.

The only plan which I can suggest to relieve you, at least to some extent, from such serious consequences in the future, is to increase the extent of the snow fences and placing them (as Mr. Wragge is now doing on the Owen Sound section) at a greater distance from the track. I think that it would be money well expended to lay out between $2,000 to $3,000 annually, until all the points ascertained to be most frequently blocked are protected by snow fences.

The station buildings, though small, are economically constructed, are serviceable and of sufficient capacity. The only additional buildings required are at Owen Sound, near the wharf, estimated at about $6,500, and the station house at Orangeville, which was burned down, at an extreme cost of about $2,000.

In regard to the future traffic over your line, my opinion is, that it should show a steady, gradual, but moderate increase. The returns of your traffic bear me out in this. But for the unusual severity of last winter, your traffic would have shown a fair increase, notwithstanding the general depression in every branch of business throughout the country. If this winter proves less severe, and be more like ordinary winters in this country, a marked improvement should take place in your receipts. The drainage of swamp lands through which the railway passes, and to which the attention of the Government should be called, will open a large section of country well suited for grazing purposes, and the general improvement in the agricultural portion traversed by your road will aid also to increase the business. It is, however, necessary that I should not omit the fact that does now, and will in the future, affect the traffic of your road and check its increase; it is the existence and construction of competing lines—the Grand Trunk Railway, the Northern Railway and the Wellington, Grey & Bruce, with its western connections, already built, and the Credit Valley Railway, as you are aware, is under construction. These roads will undoubtedly absorb a considerable portion of your traffic. The country, with the exception of the swamps alluded to, is very fine to within 20 or 25 miles of Owen Sound, where it is rather rough and stony. The through traffic, by way of Owen Sound, is, as yet, small, and I do not anticipate any great improvement, although as the north shore of the Georgian Bay becomes more thickly settled, there may be some improvement in the trade.

In conclusion, it affords me great pleasure to thank Mr. Wragge for the kindness and valuable information which he has most cheerfully afforded me on all subjects connected with the railway.

I remain yours very truly,
(Signed) A. W. SCHWIEGER.

THE TORONTO GREY & BRUCE RAILWAY,
Secretary & Treasurer's Office, Toronto, 28th Dec. 1875.

Statement of present Bonded and Floating debt, and financial position of Company when debt consolidated by new issue of Bonds.

Present Indebtedness.

		ANNUAL INTEREST.
Bonds	$1,150,000 at 8 per cent. $92,000	
do.	450,000 at 7 per cent. $31,500	$123,500
Floating Debt unsecured by Bonds	598,000 say at 10 per cent. Int.	59,800
		$183,300

New issue of Bonds.

Bonds	$2,250,000 at 6 per cent.	$135,000
Of this amount $1,777,777 at 90 per cent. will be required to take up existing Bonds leaving a Balance of	$472,223	
To which must be added	120,000	
Government subsidy, making in all to wipe out floating Debt	$592,223	

W. SUTHERLAND TAYLOR,
Secretary-Treasurer.

Toronto, Grey & Bruce Railway Company.

TORONTO, GREY AND BRUCE RAILWAY.

Revenue Account.

Receipts and Expenditure from 1st July 1875 to 30th November 1875.

RECEIPTS.	Five months ending 30th Nov. 1875. Amount.	EXPENDITURE.	Five months ending 30th Nov. 1875. Amount.
	$ cts.		$ cts.
Passengers	54,044 08	Maintaining roadway	15,556 97
Mails and sundries	7,292 37	Maintaining works and buildings	1,705 12
Freight and live stock	95,996 86	Maintaining machinery and rolling stock	12,102 34
		Train service	28,547 57
		Station service	17,100 19
		General charges	6,085 65
		Total working expenses	81,087 64
		Miscellaneous expenses	10,523 80
		Total revenue expenditure	91,611 44
		Net profit	65,721 87
	157,333 31		157,333 31

Note.—The net profit for five months being $65,721; the proportionate net profit for twelve months is $157,730.

W. Sutherland Taylor,

Secretary Treasurer,

Toronto, Grey and Bruce Railway.

RETURN

Of Correspondence and Papers relating to the "Toronto and Nipissing Railway," subsequent to that printed in Sessional Papers, 1874.

By Command,

S. C. WOOD,
Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, December 31st, 1875.

SCHEDULE OF CORRESPONDENCE AND PAPERS RELATING TO THE "TORONTO AND NIPISSING RAILWAY."

1874.

Feb. 16th.—Letter from the Solicitor of the Company to the Honourable the Attorney-General.

March 19th.—Letter from the President of the Company to the Honourable the Provincial Secretary.

TORONTO AND NIPISSING RAILWAY,
Toronto, February 16, 1874.

MY DEAR SIR—Having called several times at your office and not having been fortunate enough to see you at Mr. Scott's suggestion, I called at your house this morning.

When we saw you in reference to the application of this Company for further aid, you spoke incidentally of the cordwood question; and as I have since then ascertained the price of wood at all leading points in Canada, and having found that wood has been all this season cheaper in Toronto than in any other place in Canada of any size, and cheaper here than it had been before the narrow gauge railways were built, I was desirous of bringing this under your notice as having some bearing on our application for further aid, as the great bulk of the wood brought in by our Company would have been burned up in process of clearing the land had our railway not been in existence, instead of being made an article of merchandise as it has been.

I enclose telegrams from various points.

I am, my dear Sir,
Very respectfully yours,
(Signed) JOHN LEYS.

Hon. Oliver Mowat, Attorney-General.

TORONTO, 19th March, 1874.

To the Honourable the Provincial Secretary.

SIR,—Referring to the petition of the "Toronto and Nipissing Railway Company" for further aid from the Government, I have to advance the following propositions for the consideration of His Honor the Lieutenant-Governor in Council:—

1. I beg to lay before the Council the fact that the Annual Report of this Company shows an estimated revenue for the current year of $250,000; from the amount already received it now appears that the receipts will not exceed the sum of $220,000. It is also now apparent that the working expenses will be at least sixty-five per cent. of the gross receipts, instead of thirty-five per cent. as then estimated. The actual revenue available for payment of interest will now not exceed $77,000 for the year, as against a liability of $89,608 and a fallaciously estimated revenue of $112,500.

2. I beg to submit for the guidance of the Council the following comparison between the "Toronto, Grey and Bruce Railway Company" and this Company.

These two railways were started under similar auspices and at the same time. The assistance towards their construction may be briefly summed up as follows: The municipalities interested in the construction of the former railway have subscribed in aid of its construction the sum of $4,574 per mile of its entire length from Toronto to Owen Sound; and from Orangeville to Teeswater, those interested in the construction of this Railway have subscribed $4,262 per mile. The stock subscribed in the Toronto, Grey and Bruce Railway amounts to $1,581 per mile, and in this Railway to $2,240 per mile. From this it will be seen that, apart from any aid granted to either Railway by the Government, a sum of $6,155 per mile has been realized by the former Company, and $6,502 by the latter.

The Government have, however, already granted aid to the former Railway to the extent of $1,444 per mile, and are proposing by the resolutions now under consideration by the House, to grant them a further sum equivalent to $490 per mile, amounting in all to $1,934 per mile, whereas they have only granted $1,191 per mile to the "Toronto and Nipissing Railway Company."

I venture, therefore, to submit that it would be but doing justice to the "Toronto and Nipissing Railway Company" to put them upon a basis in no degree worse than that of the sister railway: and I would venture to suggest that a sum of $1,000 per mile, granted as further aid upon that portion of this Company's Railway between Uxbridge and Coboconk, would have the effect of placing it in a situation similar to the Toronto, Grey and Bruce Railway, and of granting the additional aid in the same manner as that proposed for the Toronto, Grey and Bruce Railway.

I have the honour to be,
Sir,
Your obedient servant,
(Signed,) W. GOODERHAM, JR.,
President T. & N. Ry. Co.

SUPPLEMENTARY RETURN

Of Correspondence and Papers relating to the "Toronto and Nipissing Railway," subsequent to that printed in Sessional Papers, 31st December, 1875.

By Command,

S. C. WOOD,
Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, 24th January, 1876.

SCHEDULE OF CORRESPONDENCE AND PAPERS RELATING TO THE "TORONTO AND NIPISSING RAILWAY."

1876.

Jan. 9th.—Letter from the Chief Engineer of the Company to the President, enclosing plans, profiles, and estimate of construction.
Petition of the Company for aid.
" 10th.—Letter from the President to the Provincial Secretary.

(Copy.)

TORONTO, January 9th, 1876.

DEAR SIR,—According to your request some time ago to make a survey of the proposed extension of the present terminus of the Toronto and Nipissing Railway to Elliot's Falls, I have done so, and now submit the plans, profiles and estimate of the same.

You will observe by the plans that the curves are all of large radius, the most of them being over half a mile. The profile also shows that the steepest grade is one foot in one hundred (1 in 100), and taking it altogether, I consider the line a very favourable one.

The accompanying estimate explains everything in detail, but should you require more information, I can furnish it at any time.

Yours truly,

J. C. BAILEY,
C. Engineer.

Wm. Gooderham, Jr., Esq.,
Managing Director Toronto and Nipissing Railway,
Toronto.

Estimate of T. and N. Railway Extension to Elliott's Falls, January 8th, 1876.

61½	Acres right of way, at $20	$1,230 00
39	" chopping and clearing, at $30	1,170 00
4½	" Grubbing, at $100	450 00
2,489	C. yards earthwork, at 18c	13,048 00
12,322	" rock excavation, at 80c	9,857 60
200	" excavations for foundations, at 40c	80 00
800	" " ditching, 16c	128 00
140	Linl. feet of trestle, at $7	980 00
400	lbs. of wrought iron and spikes, at 6c	24 00
10	Culverts (2 and 3 feet openings) at $40	400 00
7	Pair cattle guards, at $44	308 00
30	Crossings over rails, (made of plank) at $4	120 00
1,180	Rods of snake fence, at 70c	3,136 00
60	Farm gates, at $5	300 00
14	Boards per mile and half miles, complete, at 60c	8 40
7	Miles telegraph line, complete, at $90	630 00
7	Notice boards, "Beware of Trains," at $7	49 00
15,584	Ties, at 18c	2,805 00
		34,724 00
7½	Miles ballasting, at $708	5,310 00
7½	" track laying, at $250	1,875 00
7½	" iron rails, 56 lbs. to the yard, 88 tons per mile, 660 tons, at $50	33,000 00
7½	" Fastenings, at 6¼ tons per mile, 47 tons, at $60	2,820 00
4	Frogs and 4 switch gates, complete	520 00
	Turntable	500 00
	Engine shed	1,400 09
	Passenger House	1,340 00
300	Linl. feet of docking, at Elliott's Falls, at $9	2,700 00
		$84,189 00

SUMMARY.

Grading, bridging, ties, right of way, farm crossings and fencing	$34,724 00
Ballasting	5,310 00
Track-laying	1,875 00
Iron rails, 56 lb. to the yard	33,000 00
Fastenings to ditto	2,820 00
Frogs and switch-gates	520 00
Turn-tables at Elliott's Falls	500 00
Engine-shed at " "	1,400 00
Passenger-house	1,340 00
300 lineal feet docking	2,700 00
Total for 7 miles, $84,189 00.	$84,189 00
Equal to $12,027 00 per mile.	

(Signed), J. C. BAILEY,
Chief Engineer.

(Copy.)

To His Excellency the Lieutenant-Governor in Council.

The Petition of the Toronto and Nipissing Railway Company,

HUMBLY SHEWETH:

That there is a large section of country lying to the North and North-east of the Northern Terminus of your Petitioners' Railway, which has now no railway accommodation.

That the extension of your petitioners' railway to Elliott's Falls, a distance of seven and one-half miles, and the building of a Lock at Moore's Lake, would afford accommodation and facilities of transport to the inhabitants of the Townships of Lutterworth, Snowdon, Anson, Minden, Stanhope and others.

That the inhabitants of these townships have urged upon your petitioners to extend their line of railway to Elliott's Falls.

That the financial position of your petitioners is such, that they cannot unaided, make such extension and while the same, and the building of such lock at Moore's Lake would be the means of opening up a large section of country at the present time, almost entirely unsettled, yet your petitioners would not be likely to derive much traffic for their railway for some years by reason of such extension except in the item of cord wood.

That there is in the Townships of Lutterworth, Laxton and Digby, a large quantity of hardwood which, in the ordinary course of clearing would be burned up, but if railway facilities such as proposed were had, would all be made into hardwood and brought into Toronto market to the great advantage of the settlers and the railway, and adding substantially to the wealth of the country.

That there are large deposits of iron ore and building stone in the Townships of Snowdon, Laxton and Lutterworth, which, if the proposed extension was made would, in all probability, be at once worked to the great advantage of the country.

That the cost of such extension would be about $85,000 as shown by the estimates herewith made by J. C Bailey, the Company's Engineer.

That before your Petitioners can well apply to the above named townships for aid by way of municipal bonuses to aid such extension of their railway, it would be advantageous for all parties to have fixed the amount of aid which the company would obtain from the Government in the completion of such extension ; and also to have it settled that upon the completion of such extension, the Government would cause a lock to be built at Moore's Lake.

Your petitioners therefore pray that your Excellency in Council may be pleased to fix the amount which your petitioners shall be entitled to upon completion of such extension to Elliott's Falls, and the amount which would be appropriated for the building of such lock at Moore's Lake.

And your petitioners will ever pray.

(Signed) W. Gooderham, Jr.
President.

{ T. & N. Corporation Seal. }

(Copy.)

Toronto, January 10th, 1876.

The Honourable the Provincial Secretary :

Sir,—The Directors of the Toronto and Nipissing Railway Company beg again respectfully to call the attention of His Excellency the Lieutenant-Governor in Council, to the Petition of this Company for further aid from the Government, and to refer to the communication from this Company, of the 16th of March, 1874.

I have the honor to be, Sir,
Your obedient servant,
(Signed), W. Gooderham, Jr.,
President Toronto and Nipissing Railway Company.

RETURN

Of Correspondence and Papers relating to the "Victoria Railway," subsequent to that printed in Sessional Papers, second Session, 1874.

By Command,

S. C. WOOD,
Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, December 27th, 1875.

SCHEDULE OF CORRESPONDENCE AND PAPERS RELATING TO THE "VICTORIA RAILWAY."

1874.

Feb. 17th.—Circular from President of the Company to the Honourable the Attorney-General.

1875.

April 23rd.—Letter from the President of the Company to the Mayor of Belleville.

" 26th.—Letter from the President of the Company to the Honourable the Attorney-General.

May 5th.—Letter from Secretary of the Company to the Honourable the Provincial Secretary.

" 11th.—Letter from Assistant-Secretary to J. D. Merrick, Government Trustee, V. R. R.

" 12th.—Letter from President of the Company to the Honourable the Attorney-General.

" 14th.—Letter from J. D. Merrick to the Assistant-Secretary.

Report of an exploratory survey of the proposed line from Haliburton to the Mattawa River, by the chief engineer of the Company.

Oct. 28th.—Letter from the President of the Company to the Honourable the Provincial Secretary, enclosing petition of the Company for Government aid and report of annual meeting.

Nov. 18th.—Letter from J. Deacon to the Honourable the Provincial Secretary, enclosing Report from Samuel Swanton as to the Agricultural and Lumbering capabilities of that section of country lying between Haliburton and Opeongo.

23rd.—Letter from the President of the Company to the Honourable the Provincial Secretary.

Dec. 2nd.—Letter from T. Matchett, County Clerk, to the Assistant-Secretary, enclosing petition of the Municipal Council of the County of Victoria for Government aid.

" 4th.—Letter from the President of the Company to the Honourable the Provincial Secretary, enclosing letter from the Chief Engineer, accompanied by a summary of a Report received from Mr. Rankin, of the Hudson Bay Company.

" 10th.—Letter from Warden of the County to the Honourable the Provincial Secretary, enclosing petition from the ratepayers in the County of Haliburton in aid of the Victoria Railway.

Dec. 14th.—Letter from the President of the Company to the Honourable the Provincial Secretary.

[Circular.]

VICTORIA RAILWAY,
President's Office, Toronto, Feb. 17th, 1874.

Hon O. MOWAT,
M. P. P.

DEAR SIR,—I have the honour to submit for your consideration the following reasons for supporting the construction of the Victoria Railway, as a great trunk line through the heart of the new country to the mouth of the Des Moines River, on the Upper Ottawa:—

1st. If the people are allowed to settle the country before they have Railway communication, they must burn the timber to get rid of it. If on the other hand the Railway is built through the new country before settlement takes place, the people can cut and export their timber by rail, and thus obtain a money equivalent for the labour involved in clearing the land.

2nd. It is proposed that the House should vest in the Lieutenant-Governor in Council of the day, permanent power to make equitable traffic arrangements, as between the Victoria Railway (4-8½ gauge) and any other railway that may now, or in the future, connect with it. Thus shippers of produce from any point, say St. Thomas, London, Hamilton, Simcoe, St Catharines, Stratford, Harriston, Guelph, Orangeville, Toronto, Whitby, Port Hope, Bowmanville, Cobourg and Belleville, could ship produce or merchandise over their connecting lines of railway, and over the Victoria Railway to the Upper Ottawa and intermediate districts, while the people living on the line of the Victoria Railway could ship their timber, lumber, minerals, &c., to any port on Lake Ontario connected by rail with the Victoria Railway, on traffic arrangements, subject to the jurisdiction of the Lieutenant-Governor in Council of the day.

3rd. There is a vast quantity of timber inaccessible to streams, and also, in the intermediate district, black birch, now necessarily taking the place of black walnut, which will not float, and which cannot be rendered available for commerce without a Railway. The increased revenue to be derived from the dues on timber would largely recoup the Government for the bonus granted to the road. Iron mines, already discovered, give undoubted evidence of the mineral wealth of the country, which, without railway facilities, must still remain undeveloped.

4th. A perfectly gigantic business in lumber and timber exists on the Upper Ottawa, and upon its tributary streams; a business, the magnitude of which cannot be appreciated without either seeing the timber business in Quebec and the lumber business of the Lower Ottawa, or without consulting the statistics of the lumber and timber trade of the Dominion. In fact, it is this business mainly which is the foundation of the commerce of the City of Quebec, the largest timber exporting port in the world.

The excessive cost of the supplies of pork, dry goods, flour, groceries, hardware, boots and shoes, &c., required for the maintenance of lumbermen of the Upper Ottawa, often brings the whole lumber trade into a state of stagnation, as when these articles are above a certain figure, it is no longer possible to manufacture timber to advantage at market prices.

The construction of the Victoria Railway would undoubtedly reduce the cost of the whole of the provisions by at least two-thirds. The Government of the Province of Quebec in granting 10,000 acres of land per mile, and the City of Montreal $1,000,000 to the Northern Colonization Railway, fully understood the necessity of railway communication to the Upper Ottawa, which must not be confounded with the Lower Ottawa district.

5th. The proposition of the Company to take a subsidy, partly in land and partly in money, is based upon the principle that the Crown domain through which the proposed Railway is to pass should bear a large proportion of the cost of its construction.

6th. To secure labour for the construction of the Railway, and to bring about the actual settlement of the labourers and other settlers along the line of the Railway in the new coun-

try, and especially on the Crown domain, it is proposed to add a certain amount to the aid granted to the immigrants by the Dominion and Local Governments, and to select in Europe and in Canada agriculturists who will build the Railway and be paid partly in cash and partly in land.

7th. The precise method proposed to be adopted to secure the labour to build the Railway and the settlement of the intermediate region is as follows :—To contract through the Government agents in Europe for the kind of men wanted. To agree to add to the Dominion and Local Government aid to immigrants a certain amount per head, say four or five dollars. To receive the immigrants so selected at Quebec, to take charge of them and conduct them to the line of the proposed Railway. To house them in properly laid out villages of sawn lumber or logs at intervals along the line. The houses to be substantial and comfortable, and built of undressed lumber. Depots to be established at the various villages, where pork, flour and other provisions would be supplied at cost by the Company. The families of the immigrants to reside in the villages while the Railway was being built in that vicinity, after which, and having fulfilled the contract with the Company, each head of a family to become entitled to his own land, which would be by agreement earned as follows. Supposing that a man agree to work for 300 days at a dollar or a dollar and a half per day, as the case may be, at the first figure he would earn in 300 working days $300, at the second $450. The Company would pay to the labourer about two-thirds of the amount in cash, deducting the cost of the maintenance of his family; he would become entitled to the other one third in land. A surplus of cash would be left in the hands of the labourer, sufficient to start him upon his own land, where the first use of his industry would be to cut, sell and export timber and furnish freight for the Railway. Otherwise, as I state above, the timber must be destroyed by fire.

8th. The establishment of saw-mills and other lumbering business along the line of the road would unquestionably lead to the influx of a large number of Canadians as traders and settlers, who would, with the aid of the Railway, rapidly build up centres of business activity in a region which otherwise must, for a couple of generations, remain a wilderness.

9th. The Company are perfectly prepared to co-operate with the Government and the House in devising such arrangements with reference to the land as will secure that the proceeds of the sales thereof, at prices to be fixed by the Government and Parliament, shall be applied strictly to no other purpose than the actual payment as cash on account of the construction of the Railway.

10th. The 500,000 acres of land required should be in a continuous strip three miles in width on each side of the last 90 miles of the Railway. As a matter of fact, the Government could sell, after the Railway was constructed, the lands outside of this narrow strip for the distance of fifteen miles on either side of the Railway at varying prices for an amount sufficient to recoup the country for three times the amount of bonus asked to bring the Railway into existence, and settlers would prefer to be within ten or fifteen miles of a Railway and pay from one to two dollars an acre for the land rather than to take free grants thirty miles from Railway or market facilities. It would be soon seen what splendid results would flow to the country from the adoption of the proposed system. Thousands of young Canadians, who will not look at free grants, would gladly purchase homesteads on the line of the Railway, on the terms proposed. The policy of free grants must necessarily be limited in its success in proportion as Railway facilities are wanted to aid the settlers, and if the land is set aside and locked up for the purpose of free grants, and given away as grants, why should not a portion of the land be given to secure a Railway right through the heart of the country, on conditions which would ensure the settlement of the portion given, and also a large extent of the adjoining country?

11th. The enormous trade incidental to the lumber interests will be best understood by a reference to the following paragraph from the third edition of a pamphlet published in 1872, on the lumber trade of the Ottawa Valley, of course meaning the whole of the Upper and Lower Ottawa Districts :—

"The trade in timber is yearly becoming more extensive, and the following statistics will convey some idea of its importance. During the last few years over 80,000,000 cubic feet of timber have been cut down in the forests of Canada—$13,000,000 worth of which was exported to Europe and the United States—Great Britain alone taking $8,000,000 worth.

"To cut down and prepare the timber, 15,000 men are employed in the forests; and in saw and planing mills, where it is manufactured for exportation, there are 10,000 men em-

ployed. In the transportation of that portion of the timber which leaves Quebec, over 1,200 large ships and 17,000 seamen are engaged; and if we add those employed in the navigation of the rivers and lakes, and in the transit of partially manufactured material to the United States, there would be 25,000 men employed in the transportation, or a total of 50,000 men employed altogether. Its freight for shipment is over 1,500,000 tons, and its accessories half as much more; and for the supply of this great industrial army 26,000 tons of agricultural produce are annually required."

The municipalities of the County of Grey have voted to the Toronto, Grey and Bruce, Northern Extension, and Wellington, Grey and Bruce Railways, over $500,000 of bonuses, besides several hundred thousand dollars for gravel roads. When one new county undertakes by direct taxation to secure railway facilities at a cost of over half a million dollars, surely the whole Province of Ontario should not hesitate about the grant necessary to secure the construction of a trunk line like the proposed Victoria Railway.

I would respectfully submit that the Railway policy of the Province of Ontario, so far as originally intended to aid in opening up the new country, has been a total failure. There has not been one single mile of railway built through the new country upon the bare support of the Government; and no company, or individuals, in this or any other country, will undertake the problem of building a railway through a new country, unless sufficient margin in money or land is given by Municipalities or Governments, to render reasonably secure the advances made upon mortgage bonds by private investors.

The railways that have recently been built were projected, financed for and put under construction on the basis of municipal support, subsequently aided, to a small extent, by Government—in several instances after construction—the Government grant actually not being equivalent to the increased cost of building railways since the Government policy was announced. It is very much to be regretted that the use of the money invested by private individuals, in the shape of stock and preliminary expenses for the lines lately built, should be, for years to come, totally lost to the shareholders, who may be fairly classed as the most enterprising portion of the community of which they form a part, and to whom the country, as a whole, is very much indebted.

There is not a single town or village, or farm, from Ottawa to the St. Clair, that would not feel the effect of the construction of this railway, in the demand for their products and merchandise that would result from the opening up of the whole territory to the Upper Ottawa, and I cannot believe that the Government and Parliament will not adopt the proposed scheme, subject to such modifications and limitations as, in the judgment of Parliament, are necessary for the protection of the public interests.

I am, Sir,

Your obedient servant,

(Signed) G. Laidlaw,

President Victoria Railway.

To the Mayor, 23rd April, 1875.

Belleville.

Sir,—I believe it to be of importance to the people of those towns and villages interested in the extension of railways northwards to the Ottawa River, or to a junction with the Ontario section of the Pacific Railway, that a Convention should be held for consideration of the various interests involved, and at an early date to make such representation to the Government as the Convention may deem expedient. The meeting will take place at the Queen's Hotel, Toronto, on the 11th May, and if you consider it of sufficient importance to the interests of Belleville and its railway to send representatives to the Convention, permit me to hope that in addition to yourself and the members of the Local Parliament in your district, two or three other influential members of your community may be of the party.

I have the honour to be, Sir,

Your obedient servant,

G. Laidlaw,

President V. R. Co.

P.S.—Similar notices have been sent to the Mayors of Kingston, Cobourg, Port Hope, Whitby, Lindsay and Peterborough.

VICTORIA RAILWAY,
President's Office, Toronto, 26th April, 1875.

The Hon. the Attorney-General.

SIR,—I beg to enclose copy of a letter addressed to the Mayor of Belleville and others, relative to a meeting to be held for consideration of railway matters, at the Queen's Hotel (City), on the 11th May, at noon.

As it is likely that some petition or representation may be presented to the Government as the result of the action of the meeting, will you kindly make it convenient to receive a deputation, say on the 12th May ?

I have the honour to be, Sir,
Your obedient servant,
G. LAIDLAW,
President V. R. Co.

TORONTO, May 5th, 1875.

The Honourable the Provincial Secretary,
Toronto.

SIR,—I beg to request, on behalf of the Victoria Railway Company, that His Honor the Lieutenant-Governor in Council may be pleased to fix the limits of Section number two of this Railway under section 10 of 35 Victoria, cap. 60, and also to settle the mode in which the bonuses in that section are to be employed.

The northern limit of the first section is Kinmount, in the Township of Somerville (Victoria). The Railway Company respectfully suggest that the second section should extend from that point to the Village of Haliburton or its vicinity, and that the application of bonuses should be the same as is provided per section one in the tenth section of the Act above referred to as the simplest mode of dealing with the matter.

I have the honour to be, Sir,
Your obedient servant,
(Signed) A. MCNABB,
Sec. V. Ry.

PROVINCIAL SECRETARY'S OFFICE,
Toronto, 11th May, 1875.

SIR,—I am directed to transmit herewith for your information copy of a letter from the Secretary of the Victoria Railway, under date the 5th instant, and to request you to be good enough to state what bonuses not applicable to the first section of the Railway have been granted to the Company, and whether, by the terms of the by-laws granting the same, they or any of them are subject to any special conditions as to the locality in which the same shall be expended.

I have the honour, &c.,
R. S. BRODIE,
Acting Assistant Secretary.

J. D. Merrick, Esq.,
Government Trustee, Victoria R. R.,
Toronto.

VICTORIA RAILWAY,
President's Office, Toronto, 12th May, 1875.

To the Honourable the Attorney-General.

SIR,—The Railway Convention has adjourned until the second day of June, and will not, therefore, be prepared to meet you or the members of your Government to-day.

I have the honour to be, Sir,
Your obedient servant,
G. LAIDLAW,
President Vic. R. Co.

TORONTO, May 14, 1875

SIR,—In reply to your communication of the 11th inst., I beg to say, First:—That the only bonus not applicable to the first section of the road given to the Victoria Railway Company is one for $55,000, given by the Municipal Corporation of the Provisional County of Haliburton, which has been confirmed by Order in Council, and a certified copy of which was transmitted to the Provincial Secretary's office, for the consideration of the Council.

Second:—That there is a special condition in the by-law with reference to the locality in which the money is to be expended in the following words:—

"6. That the whole of the said sum of fifty five thousand dollars shall be expended *pro rata* per mile, on the said railway, from the point where it enters the County of Haliburton to the Township of Dysart." This is the only condition.

I am, Sir,
Yours respectfully,
J. D. MERRICK.

R. S. Brodie, Esq.,
Acting Assistant Secretary,
Provincial Secretary's Office,
Toronto.

VICTORIA RAILWAY,
PRESIDENT'S OFFICE,
Toronto, October 28th, 1875.

To the Honourable the Provincial Secretary.

I have the honour to enclose a Petition and Report from the "Victoria Railway Company," for the consideration of the Lieutenant-Governor in Council in reference to aid.

Your obedient servant,
GEO. LAIDLAW,
President V. R. Company.

Hon. S. C. Wood, Provincial Secretary.

To His Excellency the Honorable DONALD ALEXANDER MACDONALD, *Lieutenant-Governor of the Province of Ontario, in Council.*

The Petition of the Victoria Railway Company

HUMBLY SHEWETH AS FOLLOWS:—

In consequence of the continued financial depression of the country, especially in regard to Railways; and in consequence also of the conditions annexed to the grant of aid to Railways, under the Subsidy Acts, we regret to say that we have not been able to complete the construction of that part of our line which lies between Lindsay and Kinmount, thirty-three miles, as we had anticipated.

We have, however, succeeded in completing the grading, with the exception of a trifling quantity of rock and swamp work, the piers for the bridge at Fenelon Falls, and driven and capped the piles and constructed the piers for the bridge at McLaren's Creek, and other places where required. The right of way and most of the ties have also been paid for, and the fencing has been done continuously from Lindsay to some miles beyond Fenelon Falls, while a large portion of the materials for fencing between the latter place and Kinmont is on the ground.

2. The scarcity of money compelled the Company to dispose of their municipal subsidies at prices unprecedentedly low; while the fact that they could not avail themselves of the Provincial subsidy until the sections subsidized were completed, including the laying of the iron, frustrated their financial arrangements, which were based on the assumption and belief that they were entitled to the subsidy when the line was ready for the iron, exclusive of tracklaying. The inevitable result was a contraction in the Company's credit, and the stoppage of the works.

There being few persons engaged in Railway construction in this country who have suffi-

cient means to enable them virtually to complete their work before getting any portion of the subsidy, it is impossible to carry on such works in the present depressed condition of money, especially in new sections of country, without having recourse to the payment of an unreasonable and extravagant proportion of the means of the Company for assistance. Owing to these circumstances the Company find that the aid already granted is quite inadequate, and they beg respectfully to submit that such aid should be increased by the sum of fifteen hundred dollars per mile from Lindsay to Kinmount, in order that the subsidy granted may have the effect intended, the municipalities through which they pass, excepting at and near Lindsay itself, not being sufficiently settled to enable them to give substantial aid.

And they also respectfully submit that you should recommend the revision of the conditions annexed by law to the payment of subsidies, so as to adapt them to the circumstances of each particular case, being satisfied that, on consideration, you will find that advances may be safely made with proper safeguards, as work progresses, in the case of Railways through unsettled or nearly unsettled territory, where the work done can be utilized even if the original scheme should fail.

We are convinced that the works on a Railway through an unsettled, new and wooded country can be utilized to such an extent as to render a judicious outlay largely subservient to the opening up and settlement of such a country, so that even if the original scheme should fail, which is extremely improbable, after a large outlay on a matured scheme, the Province would reap the benefit, as the work done could and would be utilized, and as settlement would be promoted as the work progressed.

We are also convinced that to secure any considerable extent of settlement, it is necessary that the conditions should be such as to ensure the works going on for two or three years at least, within which time settlers could get such a footing on the soil as that they would be able to maintain themselves, and would remain on it. In this way the misfortune attending the settlement of the Icelanders would be avoided.

For some time to come at least railways taking the course which we are taking will be essentially Colonization Railways merely, and will be constructed with a view to the nature of the country through which they will pass, and to the heavy traffic upon which alone for many years they must subsist, and as the advantage to the country will be unquestionably great if the Railway is built, while the advantage to the shareholders is not so obvious, it is manifest to your Petitioners that extraordinary encouragement should be given to them, in order to enable them to obtain the means necessary to ensure construction, and to save themselves from loss at least.

3. A recent survey has been carefully made from Haliburton northwards, to a point near the junction of the Mattawa and Ottawa Rivers. The distance between Haliburton and the point of proposed intersection with the Canada Central is sixty-three miles, and the distance beyond that forty-five miles.

The country has been found well timbered and well adapted for settlement, and the land for the first sixty-three miles has been found to be vastly superior to that between Kinmount and Haliburton. It has also been found suitable for a railway line.

On these points we beg to refer to the accompanying Report, made by the Chief Engineer of the Company, who was in charge of the surveying expedition.

4. The line has been located between Kinmount and Haliburton (twenty-five miles), passing at a short distance from the Snowdon iron mines, and some work has been done on it. Sufficient work has been done to justify the Company in thinking that they will be able, if liberal aid and terms are given, to put the line in running order, between Lindsay and Haliburton, within the year 1876, and they think that within two years after that they can complete the line to the Canada Central Junction. The only aid which has been given between Kinmount and Haliburton is a bonus from the Provisional County of Haliburton of fifty five thousand dollars, the actual value of which cannot be rated at anything like that amount; and beyond Haliburton there are no municipalities to give aid.

5. Under all these circumstances, your Petitioners, after giving the matter their most careful consideration, which has been aided by their past experience, have come to the conclusion that, notwithstanding the greatest economy, care and skill in selecting the route, constructing the railway, and in managing their financial operations, ten thousand dollars a mile, or its equivalent, will be necessary to enable your Petitioners to undertake the work with any reasonable assurance of success from Kinmount northwards. And considering the subsi-

dies given to railways of a like character in the Province of Quebec and in the neighbouring States, they think that the amount asked is extremely reasonable and moderate.

Your Petitioners therefore pray that you may be pleased to take the matters aforesaid into consideration, and to make such recommendation as may be necessary to give effect to the desires of your Petitioners and the construction of their railway.

And your Petitioners will ever pray.

G. LAIDLAW,
President V. R. Co.

MEM.—Report of annual meeting.

To GEORGE LAIDLAW, Esquire,
President Victoria Railway Company.

SIR,—In compliance with your instructions to me to make an exploratory survey of the proposed line of the Victoria Railway from terminus of the located line at Haliburton, in the Township of Dysart, on to the waters of the Mattawa, near the point of junction with the River Ottawa, and to report to you as follows:

1. The practicability of constructing a cheap line of railway between these points.
2. The nature of the soil through which the proposed line would, if constructed, run.
3. The quantity and descriptive growth of timber along the line.

All with a view of having said Report submitted for the consideration and information of the Ontario Government.

As my experience has hitherto been confined to general engineering and the construction of Railways both in Europe and on this continent, I entertained some doubt as to my ability to afford you such information on points two and three as would be considered quite satisfactory; and with a view of making my Report accurate and comprehensive, I engaged the services of a man thoroughly conversant with farming and lumbering operations, whose intelligent and comprehensive Report I beg to annex. I may add that I fully endorse his opinions, which were shared in by every man who accompanied the exploration party, all of whom were experienced farmers and lumberers.

Starting from our terminus at Haliburton, I found that the first fifteen miles would be similar to the line already located between the Villages of Kinmount, in the Township of Somerville, and Haliburton, in the Township of Dysart, and consequently involving about the same expense in construction.

This brings us to the north end of Lake Haliburton, the lands being on the whole similar in quality to that between Kinmount and Haliburton, although about two miles from the margin of the lake, there is an excellent tract of land of some two or three thousand acres, an area which I have no doubt would be taken up for settlement on the completion or during the construction of a line of railway in that vicinity. Requesting your attention to the tracing on the map hereto attached from sections fifteen to twenty-one, there would be no engineering difficulties in building a straight line with easy grades. The country is very level and the land of an excellent quality, producing pine that cannot be taken out by any other means except that of a line of railway.

Between sections twenty-one and thirty the country is somewhat more rolling, involving more curvature to avoid the ridges, and would naturally incur a slight increase in the cost of construction.

From sections thirty to forty-five, a distance of fifteen miles, the line would run parallel with the chain of lakes on the Madawaska River respectively named "Pen," "Rock," "White Fish," and the "Lake of Two Rivers."

The land east of these waters and approaching to their shores is of an excellent quality, far superior to any which I have seen between the Town of Lindsay and the Village of Haliburton. The timber consists of white pine, spruce, hemlock, black birch, with splendid beech and maples.

Near section forty-three I deemed it desirable to depart from the most direct course and examine the country between the Madawaska River and the Great Opeongo Lake. I found there would be considerable engineering difficulty in getting a line by the western shore of the Great Opeongo, notwithstanding which I thoroughly examined the country surrounding, and

found one settlement in it with a clearing of some forty acres. The settler's land is as rich as any I have seen in Canada, and he informed me that he "could take me over three thousand acres of land of a similar, but equally good quality, and not be obliged to travel more than five miles from his house."

He has a market for his produce by selling to the lumbermen, getting twenty-five dollars a ton for hay and one dollar fifty cents a bushel for oats. This man resides seventy five miles from the nearest post-office. He had induced two or three other settlers to come up there, but they got disheartened with the monotony of their seclusion. The pine round Opeongo Lake is of first-rate quality, consisting of Norway and white, but cannot be got out except at great disadvantage, "as it takes two years to get the logs from the forest to tide waters," which with the enormous expense of transporting shanty supplies, renders it almost impossible to conduct lumbering operations there with profit.

Starting from the north-west bay of the Great Opeongo, and travelling west to take up the line from whence the party had stopped examining the country, near the north branch of the Madawaska, continuing the line from section forty-five to fifty-nine, there are little or no engineering difficulties, and the country similar to that between thirty and forty-five.

From section fifty nine to sixty-three, which will intersect the Canada Central, the land is more rolling, but with ordinary care a good line can be found.

Between Haliburton and the point of intersection of the Canada Central I have met with no obstacle to prevent the construction of a tolerably cheap line of railway. This is a distance of sixty-three miles. In fact I may say that I have met in this part of the country no such engineering difficulties as I experienced between the Villages of Kinmount and Haliburton, and as to the nature of the soil it is infinitely superior. I have no hesitation in saying that irrespective of the splendid soil there is pine enough, exclusive of other timbers, to pay for the construction of a good line of railway through it from about the junction of the Canada Central with the proposed line in continuance of the Victoria Railway. I examined the country round the River Pettawawa, and found a good crossing for the line about a mile north of the foot of "Burnt Lake," near a small creek entering the river from the north, involving the construction of a bridge of two hundred and seventy feet long.

The country between the Pettawawa and Nipissing Creek, between sections sixty-seven to seventy-one, is more rolling, but with care and judgment a good line can be found without heavy work. Nipissing Creek will require a bridge of about one hundred feet span.

From this point to section eighty, at the south end of Mink Lake, will require some trouble and more research than I had in my power to devote to it, in order to find a good line, but in my opinion a good line is certainly practicable. From sections eighty to eighty-nine, where we strike the Amable du Fond River, a good line can be found with little or no trouble. The land is poor for the first half of this section, but grows some very fine pine.

The line will run in the valley of Amable du Fond River. The soil here is pretty fair, but not to be compared to that which we met south of it.

From sections ninety-six to one hundred and two, and between the proposed line and the Amable du Fond River, the land is of an excellent quality, with several settlers with whom I have had several conversations, and who appear highly pleased with their farms and locations.

I met in the same tract of country two clergymen, accompanied by two Indians, who were sent as delegates from the Indian settlement on the Lake of Two Mountains to examine the land with a view of bringing their people, some 500 to 700, to settle on it. They appeared quite satisfied with the soil, but as the timber over an area of perhaps one hundred square miles had been completely burned off, it would, I fancy, deter them from settlement, as the loss of the wood would be fatal to the enjoyment of their hunting propensities.

From sections ninety six to one hundred and eight, which brought us to the proposed terminus, I found a good many engineering difficulties to contend with, but none of a very formidable nature, as this section of the country is completely free from rock.

This is simply an outline of my Report, previous to completing which I have applied to the officer in charge of the Hudson's Bay Post, at Lake Temiscamingue, for certain information as to the amount of transport and traffic on the waters of the Ottawa and Mattawa Rivers, which will, I trust, afford you more certain information. I have arranged for the compilation of similar returns kindly promised me by the Rev. Mr. Turnbull, stationed at Rapides des Joachim, all of which I shall in due time lay before you.

The country through which the Victoria Railway will pass between Haliburton and the Canada Central Railway is peculiarly favourable to the construction of a cheap line of railway, passing as it does along the valleys of the Gull, Madawaska and Pettewawa waters, and this course also gives it the advantage of having the best tract of land on each side of the line that can be found in any part of the Free Grant District.

I remain,

Your obedient servant,

(Signed) JAMES ROSS,
Chief Engineer.

VICTORIA RAILWAY,
Engineer's Office, 18th Nov., 1875.

The Hon. S. C. WOOD, M. P. P.,
Provincial Secretary,
Toronto.

DEAR SIR,—The party detailed by Mr. Laidlaw to explore the country between our located terminus at Haliburton and the junction of the waters of the Mattawa and Ottawa Rivers, having returned, I beg to hand you a copy of the report of Mr. Swanton, a practical farmer, as to the agricultural and lumbering capabilities of that part of the Province, which I trust you may find useful and enable you to form your opinion before the Report of the Chief Engineer is submitted for the consideration and decision of the Government.

Yours very truly,
J. DEACON.

To the Honourable S. C. WOOD, M. P. P.,
Provincial Secretary,
Toronto.

SIR,—Having recently accompanied the party appointed by the Directors of the Victoria Railway to explore the country lying between Haliburton and the River Mattawa, I beg leave to say for your information that I accompanied the party from Haliburton to Lake Opeongo, and having as you are aware been engaged in agricultural pursuits all my lifetime, I consider that I am to some extent enabled to give you a fair Report as to the agricultural and lumbering capabilities of that section of the country.

In submitting this Report I may be permitted to transcribe my notes taken on the spot, section by section.

Proceeding from the Village of Haliburton in a north-easterly direction a distance of some nine miles, we arrive at Eagle Lake. The country between these two points is rough and stony, heavily timbered with beech, maple, black birch and scattered patches of white pine of very good quality. This patch of country is fairly settled, but does not hold out, in my opinion, great inducements to agricultural settlement.

Continuing in a north-easterly direction for the next ten miles, we arrive at a small lake beautifully situated, which we call Round Lake. The country between these points is of sandy loam with a considerable amount of rolling stone; but would, on the western shore of the lakes we passed through in our way, amply repay and afford good prospects to a large number of agriculturists. The section is heavily timbered with beech, maple and pine of a first rate quality. I may also add that black birch, eventually destined to succeed walnut for cabinet purposes, is very plentiful here and of the finest quality.

From Round Lake to Madawaska Lake, a distance of some three miles still north-easterly, we pass through a first-class clay loam with some rolling stone, but heavily timbered with beech, maple and black birch, and will be equal for agricultural purposes to any land in the vicinity of Balsam Lake, on which are situated, as you already know, the finest wheat producing lands in the Province.

On our portage between these points we came to a hill. I climbed a hemlock tree some twenty feet high and saw to the west and northwest a perfect "prairie" as far as the eye could reach, being a dead level of country beautifully timbered with hardwood and pine.

The margin of the Madawaska Lake is heavily timbered with beech and maple, with a few scattering pines; the land of clay loam of first-class quality.

Passing from the lake into the Madawaska River, the land appears to be low but not swampy, timbered with large white pine and balsams, very little rock and some few rolling stones.

We were an entire day on the journey in our canoe, and I could discern no perceptible difference in the quality of the soil or growth of timber on its shores.

This brings us to a lake called by our party Boundary Lake, the shores of which appear low but very heavily timbered with white pine of the finest quality.

This embraces a distance of twenty seven miles nearly north, which brought us to the source of the Pettawawa waters.

The land between these points is of first-class quality for agricultural and lumbering purposes.

The Townships of Nightingale and Lawrence—we, with two portages of about a quarter of a mile each, arrive at Pen Lake and Rock Lake; on the former, heavy pine timber land, good but stony, the latter named from a large rock on the east side.

On the head of Rock Lake we found an Indian farm with twenty-five acres cleared on the west side, the land being a first-class clay loam. There was a large potato patch, which even here was visited by the potato bug, but as there was a fair crop we got a very acceptable supply for the use of the party. As there was no one to take payment for them we stood indebted to the proprietor, but repaid him by leaving at his shanty some spare provisions which it is hoped he will find useful on his return.

I must correct the word shanty and substitute a good hewed log house. The land here is beautifully timbered with beech, maple and black birch.

From this point passing White Fish Lake and Lake of the Two Rivers, we found on the west side the finest country I ever saw for agricultural purposes, with scenery beautiful beyond description.

Here we had a portage of six miles, which brought us to the great Opeongo Lake. The distance is rough but alternated with patches of good soil, and grows splendid white pine.

This lake is surrounded with the finest red and white pine I ever saw. On the east side the soil appears to be clay of good quality. Here we met a large gang of lumberers employed by Mr. Graham, of Ottawa.

At this point I separated from the party and returned to the Lake of Two Rivers, from whence, taking a north-westerly direction, having crossed the lake, I took the centre branch of the Madawaska River, and paddled up six miles.

The land on both sides, particularly the west, is splendid for agricultural purposes, and both sides heavily timbered with beech, maple and pine; the pine on the east side being the finest I ever saw.

Leaving our canoes we travelled through the woods until we arrived at the source of the Pettawawa waters, and found the country to have first-class land, heavily timbered with hard wood and some few enormous pines. Retracing our steps we travelled back on the country already described.

The chances afforded on these waters to agriculturists and lumberers are equal to any in the world, water power being abundant and an inexhaustible supply of marketable pine and other timber.

If opened up by railway communication the country is capable of affording employment and good lands to a large population.

In every respect it is infinitely superior to the northern portion of this country, and may eventually be equal in point of fertility, and certainly superior in water power, to any point on the shores of Lake Ontario south of the County of Victoria.

The men who accompanied our party have expressed a determination to settle on the line of route which we went over, and I must say that, if ever opened up, I have made up my mind to take up land there for farming and lumbering purposes.

I am Sir, your obedient servant,

(Signed) SAMUEL SWANTON.

Fenelon Falls, 18th October, 1875.

VICTORIA RAILWAY,
President's Office, Toronto, November 23rd, 1875.

Hon. S. C. WOOD,
Provincial Secretary.

SIR,—In the present state of affairs in the County of Victoria, in relation to the extension of the Victoria Railway southwards to Port Perry—*versus* the extension of the Port Perry Railway to Lindsay—permit me to withdraw the application of my Company for a subsidy for that portion of the line extending from Lindsay to Port Perry. Please erase from the application the paragraph referring to that section. And oblige,

Your obedient servant,
G. LAIDLAW,
President V. R. Co.

COUNTY TREASURER'S OFFICE,
Lindsay, 2nd December, 1875.

I. R. ECKART, Esquire,
Assistant Provincial Secretary,
Toronto.

SIR,—In compliance with your memorandum, I herewith enclose copies of Petitions of the County Council of Victoria, asking aid for the Victoria and Whitby and Port Perry Railroads, for His Honor the Lieutenant-Governor.

Your obedient servant,
T. MATCHETT,
County Clerk.

To His Honor DONALD ALEXANDER MACDONALD, *Lieutenant-Governor of the Province of Ontario.*

The Petition of the Municipal Council of the County of Victoria,

HUMBLY SHEWETH :

That the Town of Lindsay, the Village of Fenelon Falls, the Townships of Somerville and Verulam, in the County of Victoria, together with the Provisional County of Haliburton, the interests of which are closely identified with the said municipalities in the County of Victoria, have liberally aided by way of bonus the Victoria Railway now in course of construction.

That your Petitioners consider the speedy completion of the said Victoria Railway to Haliburton, in the Township of Dysart, would be of vast importance, and calculated to promote the interests of the Province generally, and particularly the districts which have voluntarily taxed themselves heavily for that purpose.

That your Petitioners have learned with much pleasure that an exploratory party have found and reported that the tract of land lying between the Village of Haliburton, in the Township of Dysart, and the waters of the Lake of Great Opeongo, and thence to the point of intersection of the proposed Victoria Railway with the French River Branch of the Pacific Railway, presents most attractive features for agricultural settlement and lumbering operations.

That if this tract of land is developed by the extension of the said Victoria Railway towards the junction of the Rivers Mattawa and Ottawa, it would open up a fertile tract of land now wholly useless, and thereby obviate the necessity of the youth and manhood of this Province seeking homes in the United States or North-west Provinces of this Dominion.

Your Petitioners being well aware of the many conflicting interests brought to bear upon the Government in the promotion of railway enterprise, would humbly venture to suggest that any money granted to prolong the line of the said Victoria Railway beyond the present located terminus at Haliburton might easily be repaid to the Government by its setting apart a few miles of the lands on each side of the track of said Railway for settlement at a fixed

price per acre, which would rapidly be realized, and the lands settled upon just as fast as the line would be opened, leaving lands more remote from the track open, as might be determined by the Government of the day, for free settlement.

Your Petitioners having great interest in the completion and extension of the Victoria Railway, humbly pray that your Honor will further supplement the grant already made to the said Victoria Railway by such grant of money or lands, or both, as will place the directors of the said Victoria Railway on such a financial basis as will bring this great undertaking to a speedy and satisfactory completion.

And your Petitioners, as in duty bound, will ever pray.

(Signed) ROBERT E. PERRY,
Warden.

Passed this 25th day of November, A.D. 1875.

(Signed) T. MATCHETT,
County Clerk.

VICTORIA RAILWAY,
President's Office, Toronto, Dec. 4th, 1875.

Hon. S. C. WOOD,
Provincial Secretary,
Toronto.

SIR,—I have the honour to enclose a letter from James Ross, Chief Engineer V. R., accompanying the summary of a Report received from Mr. Rankin, in charge of the Hon. Hudson's Bay Company posts in the district in the vicinity of Lake Temiscamingue and that bordering the Rivers Ottawa and Mattawa. The summary shows a considerable amount of business to exist on that far-off region already, and is of sufficient importance to be attached to the petition of the Company for further assistance.

I have the honour to be, Sir,
Your obedient servant,
(Signed) G. LAIDLAW.
President V. R. Co.

LINDSAY, 2nd December, 1875.

To G. LAIDLAW, Esquire,
President Victoria Railway,
Toronto.

SIR,—In continuation of my Report under date 18th October last, on the subject of the traffic likely to originate with and necessarily follow the completion and extension of the Victoria Railway from Haliburton to the waters of the Upper Ottawa, I beg to transmit, appended hereto, a copy of a Report received from C. Rankin, Esq., the officer in charge of the Hon. Hudson's Bay Company's post at Lake Temiscamingue.

Mr. Rankin is thoroughly conversant with the wants of this region, and knows the agricultural and lumbering capacity of the entire region lying between the Township of Dysart and the Village of Mattawa.

His estimate has been formed on actual experience, and upon inquiry instituted at *Mattawa and north of it* among parties most likely to afford accurate information.

I need scarcely point out that if the contemplated extension were carried out from Lindsay to the Mattawa, a large volume of trade would be at once created and diverted by our line towards the waters of Lake Ontario, while a southern extension would give the producers of the western portion of this Province easy access for trading relations with and a chance of competing for a branch of traffic from which it is now wholly excluded.

In conclusion, I beg to tender my best thanks to Mr. Rankin for his valuable Report.

I have the honour to be, Sir,
Your obedient servant,
JAMES ROSS,
Chief Engineer Victoria Railway.

Summary of information received from the officer in charge of the Hon. Hudson's Bay Company in the District comprising the vicinity of Lake Temiscamingue, and that bordering the Rivers Ottawa and Mattawa:—

1st. State probable quantities of stuff of all kinds that go up the Ottawa to supply the Hudson's Bay posts in the vicinity of Mattawa and north of it, which could be transhipped by railway.

Averaging from 120 to 140 tons annually, all of which no doubt would be forwarded by rail.

2nd. Do you get any supplies by way of Hudson's Bay?

No.

3rd. Can you give any idea of the quantities required by the owners of lumbering establishments in this region and north of you?

Taking a fair average, there are 50 shanties in the region you refer to, and could be supplied by rail. These shanties employ about 35 men each, to supply which it would require:

Say 5,000 Barrels of Pork,
10,000 Barrels of Flour,
40,000 Bushels of Oats,
400 Tons of Hay,
200 Tons Plant, &c.,

such as Tea, Butter, Molasses, Beans, Peas, &c., all of which could certainly be purchased much cheaper in Ontario, and sent to Mattawa by rail.

4th. Quantities of stuff coming down which could be brought by rail to the waters of Lake Ontario.

Very trifling; the passenger traffic no doubt would be considerable, but other exports are a mere trifle unless the road were once in operation; and as there are excellent mill sites and capital land between Mattawa and Haliburton, a remunerative local trade would at once spring up.

The steamers plying between Pembroke and Deux Rivières (24 miles below Mattawa) take down very little freight—a mere local business—and our furs. Their great stand-by is the passenger traffic. In the recent times, when the hardy lumbermen were in full operation, I am certain they consumed, in a region which your contemplated line would supply, over 6,000 barrels of pork, and other supplies in proportion, all of which had to pass Toronto; and when this branch of industry revives again, a line of railway running from Haliburton to the Upper Ottawa would command the whole of this traffic.

We all here heartily wish your line were in full operation.

Mr. Strickland, of Peterborough, arrived here a few days ago with a gang of men to commence lumbering operations some distance above this point, and we wish him every success.

The Canadian Land and Emigration Company,
Haliburton, Ontario, December 10th, 1875.

Hon. S. C. Wood,
Provincial Secretary,
Toronto.

Sir,—I have the honour to enclose Petition to His Honor the Lieutenant-Governor in

Council, relative to aid to the Victoria Railway, signed by 246 ratepayers of the Provisional County of Haliburton.

I have the honour to be, Sir,
Your most obedient servant,
(Signed) A. NIVEN,
Warden.

To His Honor the Lieutenant-Governor in Council.

The humble Petition of Ratepayers in the grouped portion of the Provisional County of Haliburton, in aid of the Victoria Railway,

RESPECTFULLY SHEWETH:

1. That your Petitioners consider it of vital importance not only to the Provisional County of Haliburton, but also to a very large section of unoccupied lands in the vicinity belonging to the Province, that aid should be given to the Victoria Railway Company, believing that by this means alone this section of country can, for many years to come, become settled.

2. That owing to the difficulty of communication now existing between this section and adjacent settled parts—affording no facilities for immigration or market for produce—it is found impossible to make any decided progress in settlement, and it is even believed that settlement will for the present recede unless a railway can be got.

3. That the English Land Company and the inhabitants of a portion of the said county have spent a great deal of money in making roads and bridges, and in various other ways, in opening up the country without assistance from the Province; and that a portion of the said county has taxed itself to the extent of $55,000 for the purpose of aiding the said railway; while in other districts, such as the Muskoka district, the Government have been called upon to contribute everything, and even to the extent of sending in all stores free, and paying the way of settlers, and of building locks and improving the navigation, as well as granting a larger amount of aid for a railway to Gravenhurst than has yet been granted to the Victoria Railway.

4. That the settlers in the English Land Company's Territory have also to contend with Free Grant Settlements, which nearly surround them, and which have been made free after nearly all the settlers on those lands had purchased their farms.

5. That we believe the construction of the Victoria Railway will open up within a very short time a large tract of country now unsettled, and which belongs principally to the Province, and will add largely to the wealth of the country in leading to a settlement, and to the preservation of the valuable timber with which it abounds.

6. A large proportion of that section of country is fit for settlement, and the history of the English Land Company's Settlement, as well as other settlements in the said Provisional County, has established beyond a doubt that farm products and cattle can be raised in sufficient quantities to maintain settlers and their families, and to produce a large surplus for sale—a surplus for which, even now, there is very little market—the lumbermen not requiring nearly the amount that has been raised, and its remoteness from towns or railways rendering it practically unsaleable.

7. Your Petitioners therefore pray that you may be pleased to take into consideration the granting of substantial aid to the said Railway Company, in order that they may at least be able to construct their line as far as Haliburton during the coming summer.

And your Petitioners will ever pray.

A. NIVEN, *Warden County of Haliburton,*
ROBERT CLARKE,
THOMAS WESTERN,
and 243 others.

Haliburton, December 10th, 1875.

VICTORIA RAILWAY,
President's Office, Toronto, Dec. 14th, 1875.

Honourable S. C. WOOD,
Provincial Secretary.
Toronto.

SIR, I have the honour to enclose a map, showing the route of the Victoria Railway from Lindsay to the mouth of the Mattawa River, as graded to Kinmount, located to Haliburton, and explored to the mouth of the Mattawa; and also a profile of the located line from Kinmount to Haliburton, upon which a considerable amount of money has already been spent ($15,000).

I have the honour to be Sir,
Your obedient servant,
(Signed) G. LAIDLAW
President V. R. Co.

MEMO.—Profile of the located line from Kinmount to Haliburton

SUPPLEMENTARY RETURN

Relating to the "Victoria Railway" subsequent to that printed in Sessional Papers 27th December, 1875.

By Command,

S. C. WOOD,
Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, January 19th, 1876.

(Copy).

VICTORIA RAILWAY.

Section One—From Lindsay to Kinmount—Distance 33 miles.

Estimated cost (without equipment) of work yet to be done on this section		$358,271
(1) Bonuses still to expend	$ 14,000	
(2) Bonds to realize $6,000 per mile	198,000	
Government aid asked for at $4,500 per mile	148,500	
(3) Balance of Bonds for equipment		360,500
Value of grading, bridging, right of way already done		190,000

Section Two—Kinmount to Haliburton—Distance 22 miles.

Estimated cost (without equipment) of work yet to be done on this section		352,000
Bonus still to expend	$ 44,000	
Stock	22,000	
Government Bonus asked for	176,000	
Bonds to realize $5000 per mile—Balance of bonds for equipment	110,000	
		352,000

Value of work already done on this section, $20,000.

SUPPLEMENTARY RETURN

Of Correspondence relating to the Victoria Railway, subsequent to that printed in Sessional Papers, 19th January, 1876.

By Command,

S. C. WOOD,
Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, January 28th, 1876.

SCHEDULE OF CORRESPONDENCE RELATING TO THE "VICTORIA RAILWAY."

1876.

Jan. 26.—Memorial from the Provisional County of Haliburton.
" " —Letter from President of Victoria Railway Company to Hon. the Provincial Secretary.

(Copy.)

To His Honor the Lieutenant-Governor of Ontario in Council.

The Memorial of the Corporation of the Provisional County of Haliburton

RESPECTFULLY SHEWETH:

That the construction of the Victoria Railway from Lindsay, through the County of Haliburton, to the Mattawan River, would be of great advantage, and materially assist in settling a large and valuable tract of land which cannot otherwise be settled.

Your Memorialists would therefore pray that your Excellency would be pleased to grant such aid to the above Victoria Railway as will enable them to construct the said Railway as far as the Village of Haliburton during the present year.

Your Memorialists, as in duty bound, will ever pray.

(Signed) A. NIVEN,
Warden.

Passed in open Council, the 26th January, 1876.
FRED. J. SHORE, *County Clerk.*

(Copy.)

VICTORIA RAILWAY,
President's Office, Toronto, 26th January, 1876.

SIR,—From a letter dated July 23rd, 1874, from the Canadian Land and Emigration Company (Limited), I beg to submit the following extract for your consideration :

"Bearing in mind the large proportion which the Company would have to bear of any bonus voted in aid of the Railroad by the Municipalities with which they are connected, they do not feel justified in recommending to their shareholders, in order to secure the completion of the Victoria Railway as far as Haliburton only, a larger grant than $20,000 in Debentures of the Company, payable in five years from such completion, by annual equal instalments, and bearing interest at six per cent. until paid off; and in addition to this 20,000 acres of land, exclusive of the timber thereon, to be chosen by the Railway Company, in blocks of not less than 1,000 acres, in any one or more of the Townships of this Company, except Dysart, such land not having been previously disposed of by this Company."

The grant of $20,000 in the six per cent. Debentures of the Company, in the face of the adjoining free grants, was considered by the Victoria Railway Company of doubtful value, and the proposed grant of 20,000 acres of land, exclusive of timber, would be really valueless, so far as being means towards building that section of the Railway from Kinmount to Haliburton.

It will be indispensably necessary for the Railway Company to receive $10,000 per mile of available cash from all sources, to enable them to build that section of the Railway.

The English Land Company have received only six pence per share of dividend this year, and they contribute directly a large amount of the Municipal bonus voted by the Provisional County of Haliburton, created for that purpose.

I have the honour to be,
Your obedient servant,
(Signed) G. LAIDLAW,
President Victoria Railway Company.

Hon. S. C. Wood,
Provincial Secretary.

RETURN

Of Correspondence and Papers relating to the "Wellington, Grey and Bruce Railway."

By Command,

S. C. WOOD,
Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, December 21st, 1875.

SCHEDULE OF CORRESPONDENCE AND PAPERS RELATING TO THE "WELLINGTON, GREY AND BRUCE RAILWAY."

1874.

Petition of Wellington, Grey and Bruce Railway Company, praying for aid.
Oct. 24th.—Letter from President of Company to the Honourable the Treasurer.

To the Honourable JOHN CRAWFORD, *Lieutenant-Governor of the Province of Ontario in Council.*

The Petition of the Wellington, Grey and Bruce Railway Company,

HUMBLY SHEWETH:

That by an Order in Council approved by your Excellency, bearing date the sixteenth day of March, A.D. 1874, and ratified by a resolution of the Legislative Assembly of the Province of Ontario, on the twentieth day of the said month of March, a subsidy of one hundred and ninety-four dollars and forty hundredths ($194.40) per mile per annum, for a term of twenty years, or in lieu thereof a sum of two thousand dollars per mile, was granted on that portion of your Petitioners' line of railway between Palmerston and Wingham (a distance of thirty-nine miles), conditioned that proof should be made to your Excellency on or before the first day of July, one thousand eight hundred and seventy-four, of the completion, and delivery to your Petitioners, of the whole line of the southern extension of their railway, namely, from Palmerston to Kincardine, with all suitable stations, buildings and facilities for traffic, and of the same being worked by your Petitioners or some other Company duly authorized in that behalf by your petitioners.

At the time of the passing of the said Order, your Petitioners had nearly completed their said Railway, but in consequence of the advance in the price of the iron required for their Railway and of other expenses incurred in the construction thereof, exceeding the estimates made for the same, and also in consequence of the fact that the Great Western Railway Company did not give their consent to the issue of bonds in respect of the mileage in the sidings of your Petitioners' Railway, in terms of the 3rd Section of the Act 34th Victoria, chapter 37, your Petitioners were not in a position to pay their contractors in full, and they held the said line of Railway under a claim of lien thereon, in terms of their contracts; and although the said Railway was, previous to the said first day of July last, sufficiently completed to be ready for traffic, yet your Petitioners were unable to hand over the same to be worked by the Great Western Railway Company, in terms of the lease and agreements between the two Companies, and in consequence did not obtain the subsidy granted under the said Order.

Your Petitioners are now applying for legislative aid to enable them to pay off and discharge their debts and liabilities, and at once to open and work the southern extension of their Railway, and they are sanguine that the Great Western Railway Company will now grant their consent to the issue of the bonds in respect of the mileage in the sidings of your Petitioners' Railway, to the extent authorized by the said Act.

That by reason of the delay that has taken place in opening or working the said southern extension, further expenditure has been necessary to maintain the same and keep it in a condition to be worked; and the liabilities and claims against your Petitioners have been largely increased by accumulations of interest and otherwise, and your Petitioners stand in more need of aid from the Railway Fund now than at the time the said Order in Council was granted; and in the consideration of the ways and means for securing the early opening of the said southern extension, your Petitioners have reckoned upon a renewal of the said grant, and would humbly submit that in view of your Petitioners' increased debts and expenditure the aid from the said Fund should be increased.

Your Petitioners therefore pray that your Excellency may be pleased to grant to your Petitioners such aid from the Railway Fund as will, with your Petitioners' other resources, enable them to discharge their liabilities and secure the opening of their said Railway for traffic.

And your Petitioners will ever pray.

(Signed) W. McGIVERN,
President.

THE WELLINGTON, GREY AND BRUCE RAILWAY,
HAMILTON, ONTARIO, CANADA, October 24th, 1874.

SIR,—As this Company will apply to the Ontario Legislature, at its next Session, for liberty to issue preference bonds or stock, or both, to an amount sufficient to pay its liabilities, and thus open the southern extension for traffic, I desire to place before you a statement of the various causes that have led to placing us in our present position.

In the summer of last year it became apparent to the Directors that the Company would be unable to meet its liabilities, principally on account of the largely increased cost of rails and joint fastenings. The contractors were made aware of this, and they consented to finish the line, and trust to an issue of bonds on the sidings to repay them. The Company are allowed to issue these bonds by the terms of their amended charter of 15th February, 1871, provided the consent of the Great Western Railway Company is obtained. Application was therefore made to that Company for their consent to the issue, but, after considerable delay, it was refused. Meanwhile the contractors had obtained a lien upon the road, which was now in running order. Failing to obtain the consent of the Great Western Railway to the bond issue, the Company made overtures to the contractors with the view of having the line operated, but in this they were disappointed, as the contractors refused to allow the line to be worked until their claims were paid. On the 19th February of the present year the G. W. Railway Company were asked to reconsider their decision. No answer having been received up to the 14th March, we asked an interview with the Committee of Investigation of the G. W. Railway, who were then in Canada, for the purpose of laying before them our position, in the hope that they might influence the Directors of the Company to grant the issue

The meeting did not take place until the 10th April. At this meeting it was informally mentioned that we might offer the G. W. R. as much of our 10 per cent. stock as the shareholders would be willing to transfer. The Committee of Investigation thought favourably of this proposal, and the meeting ended with the understanding that this Company should make the G. W. R. an offer. In calling upon the stockholders, the Directors found that to obtain any considerable amount of stock they would be compelled to obtain an agreement from the Great Western Railway that they would not charge more for the carriage of goods and passengers from stations on the Wellington, Grey and Bruce line to Hamilton, and *vice versa*, than to the City of Toronto and *vice versa*, and that the road must be open by the 15th June. On the 14th May, therefore, this offer was made to the G. W. R. if they would consent to the issue of bonds on sidings. An answer was returned on 9th June to the following effect:— That the Great Western Railway Board and Committee of Investigation were favourable to the issue of the bonds, if the W., G. and B. Directors would hand them the majority of the stock, and protect them from any liability in regard to the payment of the balance of the calls, by obtaining an agreement from each of the holders of fully paid up stock that he would not ask for the payment of the ninety per cent. remaining uncalled; also a legal discharge to the satisfaction of the Solicitor of the G. W. R. from contractors and other claims; and no agreement to be made as to rates of freight and passengers. This could not be accepted:

1st. Because it would require $250,000 of stock to have the majority, and we could not obtain signatures to that amount;

2nd. We were satisfied from enquiry made that the City of Hamilton, which owns $100,600 of fully paid up stock, would not agree to the non-liability clause;

3rd. We could not obtain signatures to the stock transfers without a traffic agreement such as indicated. On the 13th June, a Committee of the Board was appointed to deal with the matter, and on the 27th of the same month they met the Canada Board of the Great Western Railway, and laid before them the following proposal, being the utmost the Wellington, Grey and Bruce had the ability to perform, viz.:—

1st. The Great Western Railway to agree to the issue of the full amount of sidings' bonds, viz. 10 per cent. of $12,000 per mile;

2nd. The sum of $27,000 cash to be paid by the Great Western Railway on getting possession of the road, and a statement of our financial affairs which showed at this date that amount short;

3rd. Ten per cent. stock to the amount of $230,000 to be transferred to the Great Western Railway Company without charge;

4th. The Great Western Railway to agree to charge for freight and passengers from Hamilton to Wellington, Grey and Bruce stations, and *vice versa*, not more than from Toronto, and *vice versa*, both as to special and traffic rates;

5th. The Great Western Railway to agree not to allow the Grand Trunk Railway running powers over our line.

In reference to the 2nd clause, we found, on making up a statement of our finances, that with the large amount of interest we were obliged to pay to the contractors, and on the bonds of the southern extension, that the issue of sidings' bonds would not meet our obligations by that amount, and as the Great Western Railway had delayed the consideration of the matter for so long a time, we considered they were morally bound to provide us with the means to pay our debts. On calling upon the stockholders for a fresh agreement to transfer their shares, they added the last clause (No. 5) to the 4th. They stated to us that if these two clauses were not agreed to, one of the objects for which the road had been built, viz., to benefit the trade of the city, would be defeated, and they would not make a present of their stock without these conditions.

This offer received the approval of the Canada Board of the Great Western Railway, and was cabled home to England for confirmation by the London Board the same day.

No answer was received to this until the 22nd September ultimo. Meanwhile the Great Western Railway Directorate had been entirely changed. On that day, however, a cable was received which has since been confirmed, as follows:—

"The Great Western Railway will agree to the issue of sidings' bonds, on conditions:—

"1st That they are to have the inalienable right for twelve months to come, of the transfer of the stock agreed to be handed over to them, meantime, such stock to be transferred into the name of an appointee of the Great Western Railway Company.

"2nd. No restrictive covenants are to be imposed that rates to and from Hamilton shall never exceed the rates to and from Toronto.

"3rd. No perpetual agreement on the part of the Great Western Railway that the Grand Trunk shall not have running powers on the Wellington, Grey and Bruce line.

"4th. The proceeds of the sidings' bonds, which the Great Western Railway Board agree shall be issued to the extent of ten per cent. on main line and South Bruce extension, with the Government subsidy of $78,000, are to furnish the ways and means to satisfy all the debts of the Wellington, Grey and Bruce Company."

This offer could not, by any possibility whatever, be accepted. The same objections apply to it as to the offer of the ninth June, while three months more having elapsed, and the time approaching for providing for another half year's interest on bonds, our financial affairs were in a much worse condition; so much so, that our assets, including the proceeds of the sidings' bonds, would not meet our debts by $50,000.

The telegram from the Great Western Railway Company, confirmed above, was submitted to the Directors of this Company on 22nd September, and an answer returned as follows:

"Cable received, but not understood." This referred, more particularly, to the option they asked, of taking the stock within one year, which we did not quite understand, "Freight and running arrangements essential, as stock obtained thereon. W. G. & B. offer road with assets and stock option, you paying all just and proper claims. Can do no more; debt increases daily." It was agreed to ask Mr. Metcalf to send this telegram, as coming from the Great Western Railway, two representatives of which—Mr. Muir and Mr. Metcalf—were present at the meeting; this will account for its phraseology. As we have been unable to make terms with the Great Western Railway, we are now going to apply to Parliament for power to issue mortgage bonds or preference stock, or both, from which a sum may be realized sufficient to pay our debts. Our case will be ready in the course of a week, and we will then put it in hand to be carried out. Our legal advisers assure us that there is nothing illegal or improper in our course. The Country is suffering by reason of the line remaining closed; and if the legislation we desire is obtained, we see no reason why the line should not be in operation this fall.

Yours faithfully,
(Signed) W. McGIVERN,
President.

The Hon. Adam Crooks, &c., &c.,
Toronto.

RETURN

To an Address of the Legislative Assembly to His Honor the Lieutenant-Governor, praying that he will cause to be laid before the House copies of all correspondence between the Lieutenant Governor of this Province and the Secretary of State, or the Minister of Justice for the Dominion of Canada, respecting the disallowance of any Acts of the Legislature of this Province, and any correspondence between the same persons respecting the recent Legislation of the Dominion Parliament, by which Police Magistrates have been empowered to finally try certain felonies and misdemeanors, and any correspondence affecting the working of the said Act.

By Command,

S. C. WOOD,
Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, December 20th, 75.

SCHEDULE of all Correspondence between the Lieutenant-Governor of this Province and the Secretary of State, or the Minister of Justice for the Dominion of Canada, respecting the disallowance of any Acts of the Legislature of this Province, and any Correspondence between the same persons respecting the recent legislation of the Dominion Parliament by which Police Magistrates have been empowered to finally try certain felonies and misdemeanors, and any Correspondence affecting the working of the said Act.

1874.

Nov. 28th.—Letter from the Under Secretary of State to the Lieutenant-Governor of Ontario, enclosing copy of an Order in Council and the Report of the Honourable the Minister of Justice.

Dec. 17th.—Telegram from the Honourable the Minister of Justice to the Honourable the Attorney-General.

" 17th.—Telegram from the Honourable the Attorney-General to the Honourable the Minister of Justice.

1875.

Feb. 22nd.—Letter from His Honor the Lieutenant-Governor of Ontario to the Honourable the Secretary of State, enclosing copy of an Order in Council together with a Report by the Honourable the Attorney-General of Ontario.

1875.

Nov. 25th.—Letter from the Under Secretary of State to the Honourable the Provincial Secretary, enclosing copy of an Order in Council.

" 26th.—Letter from the Under Secretary of State to the Honourable the Provincial Secretary, enclosing copy of an Order in Council together with the recommendation of the Honourable the Minister of Justice.

Sept. 15th.—Letter from the Clerk of the Executive Council to Alexander McNabb, Esquire, Police Magistrate, Toronto.

" 18th.—Letter from Alexander McNabb, Esquire, Police Magistrate, to the Honourable the Attorney-General.

DEPARTMENT OF THE SECRETARY OF STATE,
Ottawa, 28th November, 1874.

SIR,—I am directed to transmit to you, for the consideration of your Government, a copy of an Order of His Excellency the Governor-General in Council, and of the Report of the Honourable the Minister of Justice, therein referred to, on the subject of the Act of the Ontario Legislature, 37 Vict., ch. 8, intituled "An Act to amend the Law respecting Escheats and Forfeitures."

I have the honour to be, Sir,
Your obedient servant,
(Signed) EDOUARD J. LANGEVIN,
Under Secretary of State.

His Honor
The Lieutenant-Governor of Ontario,
Toronto, Ont.

Copy of a Report of a Committee of the Honourable the Privy Council, approved by His Excellency the Governor-General in Council on the 27th November, 1874.

On a Report, dated 18th November, 1874, from the Honourable the Minister of Justice, stating that in the Session of the Legislature of the Province of Ontario, held in the 37th year of Her Majesty's reign, on the 24th March, 1874, was passed an Act (chap. 8), intituled "An Act to amend the Law respecting Escheats and Forfeitures," and recommending, for the reasons set forth in said Report, that communication be had with the Lieutenant-Governor of Ontario, suggesting that the Act in question is beyond the legislative competence of the Legislature of Ontario, and that the same should therefore be repealed;

The Committee concur in the above recommendation, and submit the same for your Excellency's approval.

They also advise that a Copy of the Report of the Minister of Justice be transmitted to the Lieutenant-Governor of Ontario.

Certified.
(Signed) W. A. HIMSWORTH,
C. P. C.

To the Honourable the Secretary of State, &c., &c., &c.

DEPARTMENT OF JUSTICE,
Ottawa, 18th November, 1874.

The undersigned has the honour to report:

That in the Session of the Legislature of the Province of Ontario held in the 37th year of Her Majesty's reign, on the 24th March, 1874, was passed an Act (chap. 8), intituled "An Act to amend the Law respecting Escheats and Forfeitures."

The Act provides, in effect, that whenever lands, &c., situate in Ontario have (1) escheated to the Crown by reason of intestacy, without lawful heirs, or have (2) become forfeited, whether by treason or felony or any other cause, the Attorney-General may cause possession of such lands, &c., to be taken, in the name of the Crown.

It also provides that the Lieutenant-Governor in Council may grant lands which may be so escheated or become forfeited, with a view of restoration, to any of the family of the person to whom it had belonged, and the same without entry or inquest of office being found.

The Act also provides that the Lieutenant-Governor in Council may make any assignment of personal property to which the Crown is entitled, (1) by reason of the person last entitled thereto having died intestate, without kin or other persons entitled to succeed thereto; or (2) by reason of forfeiture of the same to the Crown; and, further, that the Lieutenant-Governor may waive or release the right of the Crown in such property.

The undersigned is strongly inclined to entertain the opinion that this law is not within the competence of a Local Legislature, upon the following grounds, viz.:

First, as to Escheats.

The law of England (except in so far as the same may have been affected in England by statute law, not applicable to Canada) prevails in the Province of Ontario.

The practice, prior to Confederation, was for the issue under the Great Seal of the late Province of Canada of Her Majesty's Writ to Commissioners, requiring them to summon a jury to ascertain the particulars of the estate and its escheat to the Crown, and upon inquisition held and return thereof, the same was filed in the Court of Queen's Bench of Upper Canada (now Ontario).

The question is, whether circumstances are now varied, and whether, escheat being a prerogative of the Crown, anything is to be found in the British North America Act by which the same is devolved upon the Government of a Province. Unless, therefore, any such power is by that Statute conferred upon the Local Government, the exercise of Her Majesty's prerogative would rest in the Governor-General of Canada, as her representative.

The undersigned is not aware of any grounds upon which the Legislature of a Province can assume a right to legislate as to the prerogative right of escheat, unless it be claimed under—

(*a*) Sec. 92, sub-sec. 13, "Property and civil rights in the Province;" or

(*b*) Sec. 109, which provides that "all lands belonging to the several Provinces of Canada at the date of the Union are to belong to the several Provinces of Canada * * * in which the same are situate."

As to the first point, concerning "property and civil rights" in the Province, it appears to the undersigned that so long as lands escheat to the Crown by reason of failure of issue (or from any other cause, if such there be, as distinct from forfeiture), the Legislature of a Province, under the powers granted to it in respect to property and civil rights by the 92nd sec. of the British North America Act, 1867, cannot legislate or take any action in derogation of the rights of Her Majesty.

No prerogative rights of the Crown are vested in the Lieutenant-Governor of a Province, unless it be under the British North America Act, nor does his Commission, issued by the Governor-General under the Great Seal of Canada, confer on him the right of using or exercising any prerogative.

There would, therefore, be no authority in the Lieutenant-Governor to exercise the prerogative of the Crown in respect to escheat, nor would the Legislature have competence to deal with such right or to confer any powers on the Lieutenant-Governor in respect thereof; nor would the Queen be bound by any Acts of a Local Legislature in respect to property and civil rights arising in regard to her Crown.

If, however, they lay claim under the 109th section of B.N.A. Act 1867, the latter cannot apply, inasmuch as that section has reference alone to lands belonging to the Province of Can

ada * * * at the date of the Union; and in such case the section would give no power to Ontario to deal with such lands as might become escheated to the Crown since the date of the Union—1st July, 1867.

Moreover, if the 109th section of the B. N. A. Act is relied upon, it must be remembered that such has reference to what are known as Crown Lands, as distinguished from Ordnance Lands (B.N.A. Act, schedule 3, sec. 9), and Indian Lands (B. N. A. Act, sec. 91, sub-sec. 24), and that the Act could not, if it applied to any lands, apply to the two latter classes.

Second, as to forfeiture. The Act of Ontario provides that whenever any lands have become forfeited, whether for treason or felony, or for any other cause, the Attorney-General may cause possession to be taken in the name of the Crown, &c., and that the Lieutenant-Governor in Council may make any grant of forfeited lands, or any assignment of personal property to which the Crown is entitled (1) by reason of the person last entitled thereto having died intestate and without leaving any kin, or (2) by reason of the same having become forfeited to the Crown.

The forfeiture of lands or personal property for treason or felony (or for other cause than forfeiture for want of heirs) is also a matter of prerogative right of the Crown: the power of granting the same, after the forfeiture has accrued to the Crown, has not by the B. N. A. Act been conferred upon a Province or its Lieutenant Governor, and it must still, therefore, continue to be administered by the Governor General of Canada as Her Majesty's representative.

The Act of Ontario tends to confer power on the Lieutenant Governor in Council to restore lands or personal property forfeited for crime to the family of the person to whom the same had belonged. This is, in effect, giving the power to exercise an attribute of pardon, in the prerogative of mercy.

Moreover, forfeiture is to be regarded as a matter of criminal law and criminal procedure—subjects which, by section 91 of the B. N. A. Act, sub-sec. 27, are within the exclusive legislative jurisdiction of the Parliament of Canada.

It should also be mentioned that the subject of forfeiture by corruption of blood has been already partially dealt with by the Act of Canada of 1869, 32 and 33 Victoria, chapter 29, sections 55 and 56. These sections provide that, except for certain offences, the attainder shall not disinherit the heir, but only the right of the offender during his natural life.

The Act of Ontario will be found to be in conflict with this provision of the Act of Canada.

In either view, therefore, whether as affecting Her Majesty's prerogative or as entrenching upon the criminal law or criminal procedure, the undersigned is of opinion that the Legislature of a Province has no power to legislate in respect to forfeitures to the Crown of land or personal property.

But the statute deals also with forfeiture of personal property by reason of want of kin or other person entitled to succeed thereto.

The views expressed above, in reference to escheats, are in a great measure applicable to this point.

The undersigned is equally of opinion that under the head of "property and civil rights" no Provincial Legislature can exercise authority in respect to the right of the Crown to the personal property of an intestate leaving no persons capable of inheriting.

The undersigned recommends that communication should be had with the Lieutenant-Governor of Ontario to the above effect, suggesting that the Act in question is beyond the legislative competence of the Legislature of Ontario, and that the same should, therefore, be repealed.

(Signed) H. BERNARD,
D. M. J.

I concur.
(Signed) T. FOURNIER,
M. J.

OTTAWA, 17th December, 1874.

Hon. O. MOWAT.

Please take communication of Report about Escheats before the prorogation.

T. FOURNIER.

TORONTO, 17th December, 1874.

Hon. T. FOURNIER,
Minister of Justice, Ottawa.

Too late to do anything this session respecting Escheats Bill. Time for disallowance does not expire till February; will correspond with you meanwhile.

O. M.

GOVERNMENT HOUSE,
22nd February, 1875.

SIR,—With further reference to your despatch of the 28th November last, respecting the disallowance of the Act passed by the Ontario Legislature in reference to "Escheats and Forfeitures," I have now the honour to transmit, for the consideration of His Excellency the Governor General in Council, copy of an Order in Council approved of by me the 22nd of February, 1875, together with copy of Report on the subject by the Honourable the Attorney-General of this Province.

I have the honour to be,
Your obedient servant,
(Signed) JOHN CRAWFORD.

The Honourable
The Secretary of State of Canada,
Ottawa.

COPY of an Order in Council approved by His Honor the Lieutenant-Governor, the 22nd day of February, A. D. 1875.

The Committee of Council has had under consideration the annexed Report of the Honourable the Attorney-General, with reference to an Order of His Excellency the Governor-General in Council, dated 27th November, 1874, on the subject of the Act of the Legislature of this Province, 37 Vic. cap. 8, intituled "An Act to amend the law respecting Escheats and Forfeitures."

The Committee concur in the said Report of the Attorney-General, and submit the same for your Excellency's approval, and advise that a copy thereof be transmitted to His Excellency the Governor-General.

Certified.

(Signed) J. G. SCOTT,
Clerk Executive Council, Ontario.

The undersigned has had under consideration the Report of the Deputy Minister of Justice, dated 18th November, 1874, with reference to the Act to amend the law respecting Escheats and Forfeitures, passed 24th March, 1874, which Report was concurred in by the Minister of Justice, and approved by an Order of the Privy Council dated 27th November.

Copies of these papers having been received here during the late Session of the Ontario Legislature, it was impossible for the undersigned to give to them immediate attention.

The undersigned trusts that after the Minister of Justice has had an opportunity of reading and considering what the undersigned has now to submit in support of the Act of the Ontario Legislature, he will not hesitate to withdraw the concurrence which, in the absence of any statement of the Provincial view, he was led to express in the forcibly stated but *ex parte* opinion and recommendation of his Deputy. The undersigned ventures to affirm (not withstanding the arguments of the Deputy Minister of Justice to the contrary), that the Act in question was not *ultra vires*, but was entirely within the authority of the Legislature to pass, and that if this is not clear, the proper course will appear to be confirmatory legislation on the part of the Dominion Parliament, and not the disallowance of the Act or its enforced repeal.

The matter is not likely to be very important to the Dominion or Provincial Exchequer, but is important for the principle on which the recommendation of the Report is based. Property escheated or forfeited in the Dominion for crime, is too small for any contention about it, even if the custom were for such property to be applied to public uses; and property escheated for want of heirs or next of kin, has also amounted hitherto to very little. The undersigned is aware of but one estate of any considerable amount which is supposed to have escheated for want of heirs; and this estate is now in litigation in Chancery, and is confidently claimed by several persons as being the legal heirs of the deceased. But when escheats and forfeitures occur, it has not been usual for the Crown in England or this country to take advantage of them for the benefit of the Crown or the public. The course, according to British usage, is stated in the books to be, that upon a Memorial being presented "the "Crown will often make a grant of escheated property to persons having moral claims upon "the intestate: as, for instance, illegitimate children to whom the property has been given by "an invalid will," &c., &c., and in the same manner it is stated, that "in practice, the goods "of felons are rarely if ever seized to the Crown's use;" that where "a grant *must* be pro-"cured in order to make a title, either to the convict's forfeited or escheated estates in land, "or to his leaseholds, money in Court, or in the hands of parties requiring a valid discharge "for it," the practice is for the convict's relatives, who conceive that they are fit objects, to memorialize the Treasury, setting forth the facts relating to the property, and any circumstances favourable to the application, such as the indigence and good character of the Memorialists, and on such Memorial the desired grant is generally made.

All this, so far as regards lands, appears to be done in England under the authority of an Imperial Statute, 39 and 40 George III., c. 12, which is not in force in Canada; and that statute was the basis on which the 4th, 6th, and 7th sections of the Ontario Act were framed. In this respect our Act but brings the law of the Province into harmony with what has been the law of Great Britain for three-quarters of a century.

The other sections of the Act (viz., the 1st, 2nd and 4th) have for their object the abolition of a preliminary process, which had its origin in a state of society that has happily passed away, even in England—a process which is cumbrous, expensive and of no practical utility at the present day. These provisions were framed in order to place the Crown in the same relation to the escheated or forfeited property as, in analogous cases, private individuals occupy in regard to property in general.

With regard to the right to such property, and to the jurisdiction to legislate respecting it, it is to be remembered that while property of this kind in the British North American Provinces, before Confederation, was in the Queen's name, as all other public property was and is, it did not belong to Her Majesty personally and for her private use, nor did it belong to the Empire at large; on the contrary, such property, like ungranted and unappropriated wild lands, belonged to the Provinces; and the Provinces have still all former rights which have not been taken from them, or which they have not themselves parted with.

The Confederation Act contains no clause repealing the old Constitutional Acts which governed the Provinces, or declaring that all unenumerated rights founded upon or derived under the former Acts, or otherwise possessed by the Provinces, were to cease, or were to vest in the Dominion; and it is not pretended that the Act contains any provision which would give this property to the Dominion, if a provision for that purpose is necessary.

Either, therefore, escheated and forfeited property belongs still to the Provinces, or the Crown at Confederation resumed all Provincial rights which the Confederation Act did not deal with—an alternative which is wholly unsupportable, and which the undersigned trusts that the authorities of the Dominion, as well as those of all the Provinces, will at all times unite in repudiating. The undersigned assumes it to be undeniable that all rights of the Provinces, as they existed before Confederation, have by the Confederation Act been divided between the Dominion and the Provinces, and that whatever has not been given to the former is retained by the latter.

The undersigned submits that these considerations (not touched upon by the Report of the Deputy Minister of Justice) are absolutely conclusive on the present question; for if escheated and forfeited property belongs to the Provinces, the Provincial Legislatures have certainly a right to deal with it as falling under the head of "Property and civil rights in the Province."

2. But the express language of the British North America Act happens to contain

enough to establish the same view, affirmatively, from the Act itself. Lands, mines, minerals, royalties and other "public property" (an expression which in English law includes personal property as well as real), therefore, belonging to each Province, are by the 109th and 117th sections declared to continue to "belong" to such Province, all, however, being and continuing to be in Her Majesty's name, but having long before, by express recognition or tacit agreement, become to all intents and purposes the property of the Provinces, to be used and administered by the Provincial authorities for the use and advantage of the Provinces; so that such property, in view of the Imperial Parliament, "belonged" to the Provinces before the passing of the British North America Act. Such was the right of the Provinces not only with regard to lands which had never been the subject of grant by the Crown, but to lands also which had been sold by the Crown but not patented; and to lands which had once been granted, but had subsequently been surrendered for Provincial use, and to lands in respect to which Her Majesty had any sort of right or interest in trust for the Provinces. The lands and other public property thus indubitably belonging to the Provinces amount to many thousand times more in extent and value than all the escheated and forfeited property which will come into existence in half a century.

Now escheat is one of the few remaining incidents of the feudal tenure, and arose under the old feudal system *(per defectum sanguinis)* from the want of a tenant to perform the services to the lord of whom the land was held, or *(per delictum tenentis)* by corruption of blood by attainder. The escheat was not to the Crown, unless the Crown happened to be also the lord of whom the land was held; and many of the lands in England were held of mesne lords, and not of the Crown. This right of escheat was called by the old writers a species of reversion. All the lands in Ontario are held of the Crown, and not of a mesne lord, and the Crown retains in them (though limited by modern legislation) this right of escheat.

On ordinary principles of construction, the right so retained must be taken to have been included, and was included (like a reversion after a grant theretofore made for life or years), in the general words of the 109th and 117th sections of the British North America Act. It is impossible to suppose (and nobody does in fact suppose) that the Imperial Parliament meant to except such a right from the operation of these sections; and what Parliament must be taken to have meant is the test of what any enactment legally signifies.

The doctrine of the Report would deprive all the Maritime Provinces of *maritima incrementa*, and of lands become *derelict* by the sudden desertion of the sea. These belong to the Queen by her prerogative, but under our system of Confederation the trust would surely be for the Provinces, and not for the Dominion; and if the trust is for the Provinces, the Provinces have a right to legislate and deal with such lands to the same extent and in the same way as they deal with other Crown Lands which belong to the Provinces.

The undersigned agrees with the Report that the Ontario Act cannot apply, nor was it designed to apply, to Indian Lands or Ordnance Lands. These lands were expressly reserved by the British North America Act to the Dominion, and while they remain ungranted they cannot possibly be liable to escheat or forfeiture.

3. Were the considerations thus advanced less conclusive than they are, an additional argument might be drawn for the Provincial claim from the position of the Provinces with reference to the administration of justice. The Confederation Act assigns to the Provincial Legislatures power to make laws in relation to the "Administration of justice in the Province, including the constitution, maintenance and organization of Provincial Courts, both of civil and criminal jurisdiction, and including procedure in civil matters in those Courts." But it has always been presumed that the Provinces not only have jurisdiction to make laws in relation to the administration of justice, but that on the Provinces under Confederation is imposed the executive duty which the Provinces had before, of administering justice in the Queen's name, and of bearing the expense of such administration; and the Province of Ontario being under this obligation, it has been admitted that the fees payable to the Crown on our legal proceedings since Confederation should of right, and do, belong to the Province; and that the labour of Ontario criminals who do not go to the Dominion Penitentiary should also belong to the Province. Surely the occasional forfeitures which take place for crime may with equal reason be construed and implied to go to the Province, as incident to the administration of justice. It is impossible to draw any appreciable line of distinction, and, if it were possible, there is no just reason or good object for drawing a distinction between the

right to the Crown fees which occur on almost every proceeding, and the profits of criminal labour on the one hand, and the right to Crown forfeitures on the other hand.

4. A further argument in favour of the jurisdiction is to be drawn from the express authority of Provincial Legislatures to make laws in relation to all matters of a merely "private and local nature."

Public convenience is obviously in favour of such property being dealt with by the Province when the question arises, and of such property being or becoming the property of the Province for this purpose; and a policy recognising that convenience would favour all the Provinces equally, and contravene no interest of the Dominion. Even when such cases arise in Ontario, they may be far more conveniently dealt with by the Province than by the Executive authority at Ottawa; but where such cases occur in the more distant Provinces of the Dominion, say in British Columbia on the one side, and Prince Edward Island on the other, the convenience of Provincial instead of Dominion action in dealing with them is too palpable for anybody to question it. Without local officers to attend to such matters the Dominion interest in them would be a shadow, and the duty of investigating and deciding from so great a distance the moral or legal claims of third persons would be costly and often impracticable. It need hardly be observed that in doubtful questions on the construction of statutes, the argument *ab inconvenienti* is a recognised canon of interpretation. *Argumentum ab inconvenienti plurimum valet in lege.* Indeed Lord Coke laid down the rule more strongly, asserting frequently that *nihil quod est inconveniens est licitum.*

If there were any technical answer to these arguments as to our right, property escheated or forfeited after Confederation would be a *casus omissus;* would be a class of property not thought of when the Act was framed, and therefore not provided for; and in dealing fairly and honestly with the Act, such property should in that case, as matter of mutual agreement and just obligation, be treated by all parties as it may be presumed that the Act would have provided had the case been present to the minds of those who settled or accepted the Act as our Constitutional Charter.

The Report of the Deputy Minister of Justice makes several objections to the Act in question, and the undersigned will now remark on these:—One objection is that the Act is in conflict with the Dominion Statute which confines forfeiture of lands to the life of the convict. This objection seems to refer to the third section of the Ontario Act, which provides for the granting of escheated and forfeited lands; but the fact is overlooked that the third section refers to lands escheated for want of heirs as well as to lands escheated or forfeited for crime, and does not assume (as the Deputy Minister of Justice seems to do) that the estate to be granted is necessarily a fee or more than a life estate; but, on the contrary, provides for any interests being granted. The section must be read "*Dividendo singula singulis.*" The Report of the Deputy Minister of Justice objects to the provision which authorizes the Lieutenant-Governor in Council to transfer escheated or forfeited property to any one or more of the family of the person to whom the same had belonged; the Report suggesting that the provision is, in effect, giving to the Lieutenant-Governor the power to exercise an attribute of pardon or the prerogative of mercy.

The undersigned has already mentioned that the enactment corresponds with an Imperial enactment which has for many years been in force in England, and the objection to its adoption by the Legislature of Ontario may be answered by a reference to several considerations: (1) So far as regards the "legal" claims to which the Act refers, the right of the Crown or public in forfeited property is subject to such claims, independently of the Act; and as to the moral claims, to which also the Act refers, if the property is ours we must have the right of dealing with it as we choose. (2) The power contained in the Act is not to give forfeited property back to the criminal; while a pardon, where it affects the property at all, restores it to the criminal, and he may thenceforward dispose of it regardless of all moral claims. (3) Another satisfactory answer may be drawn from those enactments of the Parliament of Canada before Confederation, which gave to municipalities or informers the fines and forfeitures that Parliament imposed for violation of duty. As this parliamentary disposition of fines and forfeitures had often taken place, there can be nothing unreasonable in holding that other forfeitures continue, since Confederation, to go to the Provincial Governments. The argument that the Act enables the party entitled to the forfeiture to forego part of the punishment which the laws had assigned to the offence, would be at least as applicable to the fines which go to municipalities or informers, as to the forfeitures which the Act in question

assumes to go to the Provinces; and if the objection is good at all, it is beyond all comparison stronger as applied to the former than as applied to the latter.

The Deputy Minister of Justice thinks that the circumstance of the right to escheats and forfeitures being a prerogative right, affords an argument against the Ontario Act. The undersigned disputes this notion. The recognised modern doctrine is, that all prerogative rights are trusts for the benefit of the people; and it is easy to demonstrate that far more of what is prerogative falls within the acknowledged authority of the Provinces than within the authority assigned to the Dominion, and that many prerogative duties and rights devolve upon the Lieutenant-Governor, not by the express terms of the British North America Act, but from the nature of the office which he holds. Thus, grants from Provincial Governments continue of necessity to be made in the Queen's name; and all proceedings in the Provinces for the administration of justice, which before Confederation were in the Queen's name, continue of necessity to be in the Queen's name still.

In practice, the Provincial Statutes also are expressed to be by Her Majesty, with the advice and consent of the Legislative Assembly; and the Lieutenant-Governor, before proroguing Parliament, assents in the Queen's name to the Bills which have been passed.

If one thing more than another is matter of prerogative, it is the administration of justice. The Sovereign is said by legal and constitutional writers to be the "fountain of justice," and to have an "inherent right" inseparable from the Crown to distribute "justice" among his or her subjects.

So it is said to be the Sovereign's prerogative "to see to the execution of the laws;" and by the ninth section of the Confederation Act, "the Executive government and authority of and over Canada is declared to continue and be vested in the Queen." This plainly includes the Executive government and authority of the Province as well as of the Dominion, the Executive authority under the Act being executed partly by the Governor General and partly by the Lieutenant Governors. When the British North America Act commences to set out the Provincial Constitutions, the first subject treated of is under the head of "Executive Power;" the Lieutenant Governor, or any one discharging the duty of the Lieutenant-Governor, is called in the 62nd section "the chief executive officer;" the 63rd section provides for an "Executive Council" in Ontario and Quebec; the 64th section declares that "the Constitution of the Executive authority in Nova Scotia and New Brunswick shall, subject to the provisions of [the] Act, continue as it [existed] at the Union, until altered under the authority of [the] Act;" the 65th section provides that all powers, authorities and functions which under any Imperial or Provincial Act were "at the Union vested in or exercisable by the respective Governors or Lieutenant-Governors" shall, as far as the same are capable of being exercised after the Union, in relation to the Governments of Ontario and Quebec respectively, be vested in and exercised by the Lieutenant-Governors under the new system; and by the 82nd section it is directed that the Lieutenant-Governors of Ontario and Quebec shall "from time to time in the Queen's name * * summon and call together the Legislative Assembly of the Province." The Act gives no full enumeration or general statement of the duties of the Lieutenant-Governor. To a large extent his duties and authority are left to be implied and inferred from his character as Lieutenant-Governor or "Chief Executive Officer," and from the known constitutional rights and duties theretofore belonging to the office of a Lieutenant-Governor, so far as relates to the Government and legislation of the Provinces.

A further illustration of the same argument may be drawn from other considerations. Thus, the soil in our local roads is vested in the Queen, so also is the bed of our navigable streams and rivers. Nobody has hitherto gainsaid our right to legislate for changing our roads and disposing of those which we abandon, or for building bridges, or authorizing ferries, across the rivers and streams of the Province, though we thus deal with what are technically matters of prerogative. Military roads alone are the property of Canada (3rd Schedule), and the only ferries with which the Dominion has to do are "ferries between said Province and any British or foreign country, or between two Provinces."

So, also, another prerogative of the Sovereign, according to English law, is the care of the persons and property of minors, lunatics and idiots. It has not hitherto been doubted (and the undersigned apprehends there is no reason for doubting) that Provincial Legislatures have these classes of the community and their property under their control; and since Confederation, various Provincial Acts have, from time to time, been passed with respect to them which the Dominion authorities never questioned on this ground, and which our Courts have

recognised and acted upon as valid laws. There is nothing in the British North America Act devolving this prerogative upon the Governor or Legislature of the Province, unless it is to be found in some of those general provisions which the undersigned has already quoted.

These considerations show that there is no reason for presuming against the claim of the Provinces, though the subject may be what is technically matter of prerogative, and has not been expressly assigned to the Lieutenant-Governors.

The undersigned may add that on coming into office he found that the Governments of the late Mr. Sandfield Macdonald and Mr. Blake had regarded escheated and forfeited property as belonging to the Province, and as within Provincial jurisdiction, and had acted on that view. The Surrogate Court here, and the Court of Chancery also, have assumed the jurisdiction to be Provincial, and acted accordingly. It thus appears that the jurisdiction of a Provincial Legislature and Executive to deal with such matters rests on the strongest grounds, and that none of the objections suggested to the Act are sustainable; and the undersigned has considerable confidence that the Minister of Justice and his Deputy will, on consideration, coincide in this conclusion.

If, in view of the whole matter, the Minister of Justice is not prepared at present to yield to the argument of strict constitutional or legal right in the Provinces, the undersigned cannot doubt that he will think it both expedient and just to recommend to the Dominion Parliament to pass at its present session an Act confirming what has been done in Ontario, and either expressly giving escheated and forfeited property to the Provinces, or distinctly recognising, by a declaratory enactment, their right to such property, unless he should be content with advising non-interference by the Dominion authorities. Any such course would be in accordance with much that has been done in dealing with Provincial legislation hitherto. By a report of the Minister of Justice to the Privy Council, dated 8th June, 1868, printed in the Ontario Sessional Papers (Vol. 1, No. 19), it was justly laid down to be "of importance that the course of local legislation should be interfered with as little as possible, and the power (of disallowance) exercised with great caution, and only in cases where the law and general interests of the Dominion imperatively required it." In the same Report it was recommended "that where a measure is considered only partially defective, or where objectionable as being prejudicial to the general interests of the Dominion, or as as clashing with its legislation, communication should be had with the Provincial Government with respect to such measure," and that in such case "the Act should not be disallowed, if the general interests permit such a course, until the Local Government has an opportunity of considering and discussing the objections taken, and the Local Legislature has also an opportunity of remedying the defects found to exist."

The same Minister, in accordance with the principles he so enunciated, declined on various grounds recommending the disallowance of several Provincial Statutes containing provisions which he regarded as *ultra vires*; sometimes recommending confirmatory legislation to be submitted to the Dominion Parliament, and sometimes leaving to the Courts to decide the question of the validity if it should ever be raised.

All which is respectfully submitted.

(Signed) O. MOWAT.

February 17th, 1875.

OTTAWA, 25th November, 1875.

SIR,—I am directed to transmit to you herewith, for the information of His Honor the Lieutenant Governor of Ontario, a copy of an Order of His Excellency the Governor-General in Council, in reference to five Private Acts therein mentioned, passed in the year 1874 by the Legislature of that Province, and to request that His Honor may be moved to bring the same under the early consideration of his Government.

I have the honour to be, Sir,
Your obedient servant,
(Signed) EDOUARD J. LANGEVIN,
Under Secretary of State.

The Honourable
The Provincial Secretary,
Toronto, Ontario.

COPY of a Report of a Committee of the Honourable the Privy Council, approved by His Excellency the Governor-General in Council on the 23rd November, 1875.

On a Report, dated 16th November, 1875, from the Honourable the Minister of Justice, having reference to the following five Private Acts, passed in the year 1874 by the Legislature of Ontario, namely :—

Chapter 78, intituled "An Act respecting the Methodist Church of Canada."

The Minister states that by the first section, the real or other property held in other Provinces by certain church bodies belonging to those Provinces, is in effect declared to have become vested, along with property in Ontario of certain church bodies of that Province, in a new church body.

That as to this clause he refers to his Report upon chapter 75 of the same Statutes ; upon the reasoning of which it would appear to him, that as to property outside of Ontario, the clause is *ultra vires* and inoperative, yet that he does not advise that the Act should be disallowed.

Chapter 44, intituled "An Act to enable the Corporation of the City of Kingston to close up a part of Union Street, with the water slip in front of the same, in the said city, and for other purposes."

That this Act, besides making certain provisions within the competence of the Local Legislature, professes to give power to close up a part of the public harbour of Kingston ; that it is true that all the powers given by the Act are expressed to be given only as far as the Legislature has jurisdiction in that behalf ; but he is obliged to recommend that unless the Act be amended by eliminating the provisions to which he refers, it should be disallowed.

Chapter 67, intituled "An Act to incorporate the Canada Fire and Marine Insurance Company."

The Minister observes that the powers professed to be conferred by this Act appear to him too wide ; that it authorizes the Company to effect policies of fire insurance with any persons or bodies corporate, and to make contracts of marine insurance with any persons in respect to losses of vessels navigating any waters from or to any ports ; that it is not provided that the chief place of business shall be in the Province. Power is given to comply with the laws of other Provinces or States wherein the Company may carry on business, and the word "Canada" introduced into the name is of itself indicative of more than Provincial objects ; that on the 31st March, 1875, chapter 82 of the Statutes of Nova Scotia for 1874 was disallowed upon grounds applicable to this Act. The Minister recommends that unless the objections are obviated by amendment, this Act should be disallowed.

Chapter 68, intituled "An Act to incorporate the Industrial and Commercial Life Assurance Company of Canada."

This Act, the Minister submits, is open to the objections suggested with reference to Chapter 67, besides containing an objectionable provision with reference to the insolvency of the Company ; and he recommends that unless the objections are obviated by amendment, this Act should be disallowed.

Chapter 66, intituled "An Act to incorporate the Alliance Insurance Company."

The Minister states that by this Act power is given to the Company to borrow money on security of its debentures, to an amount not exceeding the amount of its paid-up capital stock. That this provision seems open to serious objection as a matter of policy, but having regard to the course which has been pursued in reference to other Acts giving objectionable powers, he does not feel that he ought to recommend the disallowance of this Act on that ground. He remarks that by the 17th section of Chapter 67, and by the 23rd section of Chapter 68, powers of the same character, though not so extensive, are given to the Companies by these Acts incorporated.

The Committee concur in the Report of the Minister of Justice, and submit the same for your Excellency's approval.

Certified.

(Signed) W. A. HIMSWORTH,
C. P. C.

To the Honourable
The Secretary of State.

DEPARTMENT OF THE SECRETARY OF STATE, CANADA,
Ottawa, 26th November, 1875.

SIR,—I am directed to transmit to you, for the information of His Honor the Lieutenant-Governor of Ontario, a copy of an Order of His Excellency the Governor General in Council, and of the Report of the Honourable the Minister of Justice therein referred to, having reference to four Public Acts enumerated in the Report passed by the Legislature of Ontario in the year 1874, and I am to request that His Honor may be moved to bring the same under the early consideration of his Government.

I have the honour to be, Sir,
Your obedient servant,
(Signed) EDOUARD J. LANGEVIN,
Under Secretary of State.

The Honourable the Provincial Secretary,
Toronto, Ont.

COPY of a Report of a Committee of the Honourable the Privy Council, approved by His Excellency the Governor General in Council, on the 23rd November, 1875.

The Committee have had under consideration the Report dated 16th November, 1875, from the Honourable the Minister of Justice, having reference to the undermentioned four Public Acts passed by the Legislature of Ontario, in the year 1874, viz. :—

Chapter 4, intituled "An Act respecting the operation of the Statutes of Ontario."
Chapter 12, intituled "An Act to amend the Act respecting Division Courts."
Chapter 19, intituled "An Act respecting Apprentices and Minors."
Chapter 28, intituled "An Act to provide for voting by ballot at Municipal Elections."

And they concur in the recommendation expressed in said Report, that the attention of the Government of Ontario be called to the said Acts, in order to their considering the propriety of proposing amendments before the period arrives for determining as to their disallowance.

Certified.
(Signed) W. A. HIMSWORTH.

DEPARTMENT OF JUSTICE,
Ottawa, 16th November, 1875.

With reference to the undermentioned four Public Acts passed by the Legislature of Ontario in the year 1874, the undersigned begs leave to report :—

Chapter 4, intituled "An Act respecting the operation of the Statutes of Ontario."
Section 6.—The language is rather vague, and is open to the construction that it applies to Statutes of the Dominion and Statutes of former Legislatures upon subjects within the legislative competency of the Dominion.
Section 12 enacts that several Statutes should be repealed as far as they relate to Ontario; some of these Statutes, relating in part to Criminal Laws and Procedure, are still in force, and the language with reference to their repeal is objectionably wide. It would be better to limit it to so much of the Acts as affect matters within the legislative authority of Ontario.

Chapter 12, intituled "An Act to amend the Act respecting Division Courts."
The provision in this Act making it the duty of a County Court Judge to hold a Division Court in any County in the Province on being ordered to do so by the Lieutenant-Governor in Council, &c., appears to be objectionable as assuming, though to a limited extent, the power of appointment vested in the Government of Canada. It would not be objectionable to impose the duty upon requirement by order of the Governor-General in Council, made upon the request of the Lieutenant-Governor.

Chapter 19, intituled "An Act respecting Apprentices and Minors."

Sections 17 and 18 appear to trench upon the Criminal Law, most, if not all, of the Acts to be dealt with by a magistrate being criminal.

Chapter 28, intituled "An Act to provide for voting by ballot at Municipal Elections."

Section 30 provides against the forgery, counterfeiting, or fraudulently altering, defacing, or destroying ballot papers, &c., and imposes a punishment for any of these offences. This section would appear to come within the objection taken by the predecessor of the undersigned in his Report of 2nd January, 1875, with reference to the Act of Prince Edward Island respecting Controverted Elections. The undersigned recommends that the attention of the Government of Ontario be called to the Acts mentioned in this Report, in order to their considering the propriety of imposing amendments before the period arrives for determining as to their disallowance.

(Signed) EDWARD BLAKE.

TORONTO, 15th September, 1875.

SIR,—I am directed by the Attorney-General to ask you to state for his information, the facts which induced you to regard the imposition of one month's imprisonment, with hard labour, a punishment proportionate to the gravity of the crime of which Archibald Milligan was recently convicted before you.

As reported in the newspapers, Milligan's offence would appear to have been committed under circumstances calling for the infliction of a very much heavier sentence than you have thought proper to impose, and the Attorney-General will be glad to learn that there are other circumstances of which he is ignorant that justify your action in this case.

I have the honour to be, Sir,
Your obedient servant,
(Signed) J. G. SCOTT.

Alexander McNabb, Esq.,
Police Magistrate, Toronto.

Hon. O. MOWAT,
Attorney General, Ontario.

POLICE COURT, CITY OF TORONTO,
18th September, 1875.

The Queen vs. *Archibald Milligan.*

DEAR SIR,—In accordance with your request in the above case, to report to you the facts which led me to inflict the sentence of one month in the common gaol, with hard labour on the above defendant, I beg leave to state:

Milligan was a grocer carrying on business in the two stores on East side of the City Hall for a number of years past, and also held a large hotel in West Market Street.

A Mr. Walker, produce broker, had a desk in Milligan's store, and used Milligan's safe. One day when Walker was out, a package of money ($5,000) came by express, and Milligan received the money, and when Walker came in Milligan told him that he had received the money and that it was in the safe. Walker replied "All right let it remain there," or words to that effect; and afterwards, when he went for the money, it was gone. Walker then laid an information on which a warrant was issued, and a day or two after, his Solicitor, Dr. McMichael, sent to the Chief of Police and asked for the information and warrant, and the Chief let him have it, and afterwards Dr. McMichael would not give them up, stating that they did not wish to prosecute. I was absent when this occurred. The Chief then applied to me, and I had him swear to another information and I issued a warrant, and the detective went to Milligan's store, and on searching found $1,000, part of the $5,000, secreted in some straw in the back part of the store, and Walker was present and stated to Milligan to give up the

rest of the money and he would not prosecute him. Milligan then gave up $3,800 and stated that he had used the other $200. Milligan was then arrested. (The detective refused to consent to Walker's promise not to prosecute him.) When he was brought before me, he, by his attorney, pleaded not guilty. I therefore remanded him for two days to get Mr. Hannah, who sent the money from Montreal. On the return of the warrant of remand, and after Mr. Hannah was sworn, Milligan said "There is no use of swearing: I am guilty: do what you like with me. I have been drinking very hard; I did not know what I was about. I am a ruined man." He then pleaded for mercy, and asked the prosecutor to plead for mercy for him. Dr. McMichael said "We cannot join in your plea until you make complete restitution." Milligan then stated he would refund every cent, and I remanded him for two days to give him an opportunity to do so, and before the return of the remand the $200 was paid into Court and handed to the Chief of Police, and I then sentenced him to one month in the common gaol with hard labour, and my reasons for so doing were:—

1. Milligan did not belong to the criminal class; he never was convicted before and he had carried on business for a number of years in this city as a respectable man.

2. The money came legally into his hands, and the trust was, in a manner, thrust upon him, and the temptation was more than he could bear.

3. He restored every dollar of the money.

4. I have known Milligan for over twenty years, and during that time he has been a most frugal, hard-working man, and by his industry has raised himself from a menial position to a wealthy and respectable one; but lately he has abandoned himself to excessive drinking, and had he been sober, I felt confident he would not have committed this crime.

5. And as he had made full restitution, and from his conduct, I did not consider him wholly depraved.

I have the honour to be,
Your obedient servant,
(Signed) A. McNabb,
P. M.

SUPPLEMENTARY RETURN

To an Address of the Legislative Assembly, to His Honor the Lieutenant-Governor, praying His Honor to cause to be laid before the House, copies of all correspondence between the Lieutenant-Governor of this Province, and the Secretary of State or the Minister of Justice, for the Dominion of Canada, respecting the disallowance of any Acts of the Legislature of this Province, and any correspondence between the same persons respecting the recent legislation of the Dominion Parliament by which Police Magistrates have been empowered to finally try certain felonies and misdemeanors.

By Command,

S. C. WOOD,

Secretary.

PROVINCIAL SECRETARY'S OFFICE,

TORONTO, January 11th, 1876.

SCHEDULE OF CORRESPONDENCE AND PAPERS RELATIVE TO THE DISALLOWANCE OF AN ACT PASSED BY THE LEGISLATURE OF ONTARIO, INTITULED "AN ACT TO AMEND THE LAW RESPECTING ESCHEATS AND FORFEITURES."

1875.

April 3.—Letter from the Under-Secretary of State to His Honor the Lieutenant-Governor, enclosing,

Copy of Order in Council of the 1st of April, disallowing the "Act to amend the law respecting Escheats and Forfeitures."

April 5.—Letter from the Under-Secretary of State to His Honor the Lieutenant-Governor, enclosing,

Extract of a Report of the Privy Council advising the disallowance of the Act intituled "An Act to amend the law respecting Escheats and Forfeitures."

DEPARTMENT OF THE SECRETARY OF STATE,
Ottawa, April 3rd, 1875.

SIR,—I am directed to transmit to you herewith, for the information of your Government, an Order of His Excellency the Governor-General in Council, declaring His Excellency's disallowance of an Act passed by the Legislature of the Province of Ontario, on the 24th day of March, 1874, intituled "An Act to amend the Law respecting Escheats and Forfeitures."

I have the honour to be, Sir,
Your obedient servant,
(Signed) EDOUARD LANGEVIN,
Under-Secretary of State.

To His Honor the Lieutenant-Governor of Ontario,
Toronto, Ont.

GOVERNMENT HOUSE, OTTAWA,
Thursday, 1st day of April, 1875.

Present:

His Excellency the Governor-General in Council.

Whereas the Lieutenant-Governor of the Province of Ontario, with the Legislative Assembly of the said Province, did, on the 24th day of March, 1874, pass an Act which has been transmitted, intituled as follows, viz., "An Act to amend the Law respecting Escheats and Forfeitures:"

And whereas the said Act has been laid before the Governor-General in Council, together with a Report from the Minister of Justice, setting forth that he is of opinion that it was not competent for the Legislature to pass such Act, and therefore recommending that the said Act should not receive the confirmation of the Governor-General.

His Excellency the Governor-General has thereupon this day been pleased, by and with the advice of His Privy Council, to declare his disallowance of the said Act, and the same is hereby disallowed accordingly.

Whereof the Lieutenant-Governor of the Province of Ontario, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

(Signed) W. A. HIMSWORTH,
Clerk Privy Council.

I, FREDERICK TEMPLE HAMILTON BLACKWOOD, EARL OF DUFFERIN, Governor-General of Canada, do hereby certify that the Act passed by the Legislature of the Province of Ontario, on the 24th day of March, 1874, entitled "An Act to amend the Law respecting Escheats and Forfeitures," was received by me on the 2nd day of April, 1874.

Given under my Hand and Seal this 1st day of April, 1875.

(Seal.) (Signed) DUFFERIN.

DEPARTMENT OF THE SECRETARY OF STATE.
Ottawa, 5th April, 1875.

SIR,—With reference to my letter of the 3rd instant and its enclosure. I am directed to transmit to you, for the consideration of your Government, an extract from a Report sub-

mitted to His Excellency the Governor-General, upon which His Excellency in Council declared his disallowance of the Act of the Legislature of the Province of Ontario, passed on the 24th March, 1874, intituled " An Act respecting Escheats and Forfeitures.

I have the honour to be, Sir,
Your obedient servant,
(Signed) EDOUARD LANGEVIN,
Under Secretary of State.

His Honor the
Lieutenant-Governor of Ontario, Toronto.

The undersigned has had under consideration the Report of the Executive Council of the Province of Ontario, upon the Report of the Attorney-General of that Province, on the Act passed on the 24th March, 1874, respecting escheats and forfeitures.

The Report of the Attorney-General differs with the view expressed in the Order of the Privy Council of the 27th November, 1874, and affirms :—

1. That the Act in question is not *ultra vires*, but is entirely within the authority of the legislature to pass, and

2. That, if this is not clear, the proper course will appear to be by confirmatory legislation, on the part of the Dominion Parliament, and not the disallowance of the Act or its enforced repeal.

The undersigned quite concurs with the Attorney-General that the matter is important, not as affecting the Exchequer, but as to the principle ; and, that property escheated or forfeited whether from crime or for want of heirs, has amounted to but little, and that the Crown has in Canada never sought to retain the same for its own benefit or that of the public ; but has given it to the parties, who, but for the escheat, would have been entitled thereto.

The course of British usage in this particular, and set forth by the Attorney-General on the third page of the Order of the Executive Council, is that which has been strictly followed in Canada.

On all these preliminary subjects, the undersigned is quite in accord with the views expressed by the Executive Council.

With reference, however, to the paragraphs which refer to the right of property and the jurisdiction to legislate respecting it, the undersigned has the honour to remark as follows :—

As to the first paragraph ; this suggests—

1. That all property which was in the Queen's name prior to Confederation belongs to the Provinces ; and—

2. That all rights of the Provinces as they existed before Confederation, have, by the Confederation Act, been divided between the Dominion and the Provinces, and that whatever has not been given to the former is retained by the latter.

As to the first point, that is settled by the 108th and 117th sections, but it is apparently thereby confined to property in the Queen's name at the date of the Union.

As to the second point, it is submitted that the view represented is hardly correct ; but that on the contrary whatever right has not been given to the Provinces is vested in the Dominion. This is peculiarly observable in the 91st and 92nd sections, as to legislation. The former confers power on the Queen, by and with the advice and consent of the House of Commons, in relation to all matters not coming within the classes of subjects by that Act assigned exclusively to the Legislatures of the Provinces ; and

2. It gives exclusive legislative authority in certain matters by classes ; and

3. Provides in conclusion, that any matter coming within any of the classes of those subjects shall not be deemed to come within the class of matters of a local or private nature assigned exclusively to Provincial Legislatures.

On the other hand, the Legislature which is defined to consist, as regards Ontario, of the Lieutenant-Governor and of one House, styled " The Legislative Assembly of Ontario," has exclusive legislative competency in relation to matters of which the classes are specially defined.

Therefore, as the undersigned believes escheats to be a matter of prerogative, and not a

question of "property and civil rights," there seems no reason to depart from the view expressed in the Order of the Privy Council, that no prerogative rights of the Crown are vested in the Lieutenant Governor of a Province, unless under the Confederation Act, and that unless that Act can be found strictly to confer upon the Lieutenant-Governor, or the Legislature of a Province, an express right to deal with any matter of prerogative, such power is not vested in either the one or the other authority.

It may not be out of place here, on the point, to quote from the despatch of Her Majesty's Secretary of State for the Colonies, of the 7th January, 1875, to the Governor-General in reference to the sentence passed in Manitoba upon one Lepine.

It is as follows:—

"The Lieutenant-Governors of the Provinces of the Dominion, however important locally their functions may be, are a part of the Colonial administration staff, and are more immediately responsible to the Governor-General in Council. They do not hold commissions from the Crown, and neither in power nor privilege resemble those Governors of Colonies to whom, after special consideration of their personal fitness, the Queen, under the Great Seal and Her own Hand and Signet, delegates portions of Her prerogatives and issues Her own instructions."

It is to be remembered also how great a difference exists in reference, not only to the Legislative powers of a Parliament or Legislature, but the very distinct difference as to the component parts of each of those bodies.

The Parliament of Canada is defined to consist of the Queen, the Senate and the House of Commons, and the mode of Legislation by the Parliament is defined to be that of the Queen, by and with the advice and consent of the Senate and House of Commons.

On the other hand, the Legislature of each Province has a different definition. Taking that of Ontario, for instance, it is found to consist of the Lieutenant-Governor, and of one House, styled "The Legislative Assembly of Ontario."

It is true that the Legislatures of the different Provinces, in enacting laws, have used the terms: "Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province" or in respect of Ontario, of the Legislative Assembly of Ontario (alone), and it may have been thought expedient to adopt that formula, yet little doubt can be entertained that the same is incorrect; that the enacting party should be under Section 92, the Legislature of the Province, and that a Lieutenant-Governor has no power to assent to any laws of a Legislature in the Queen's name, inasmuch as the Queen herself has not that power, and cannot, therefore, depute it.

The only instance in which, to the knowledge of the undersigned, there is an express delegation to a Lieutenant-Governor of privileges of the Crown, is in the Commission to the Governor-General, the 6th Section of which is thus worded: "And we do further authorise "and empower you to exercise from time to time, as you may judge necessary, all powers "lawfully belonging to US, in respect of assembling or proroguing the Senate or the House "of Commons of Our said Dominion, and of dissolving the said House of Commons, and we "do hereby give the like authority to the several Lieutenant-Governors, for the time being, "of the Provinces of Our said Dominion, with respect to the Legislative Councils or the "Legislative or General Assemblies of those Provinces respectively."

In practice the Lieutenant-Governor of Ontario appears to have exercised this right, in so far as assembling or dissolving the Legislative Assembly, but in respect to the proroguing, the Journals of that Legislature show that it is done in the name of the Lieutenant-Governor.

These allusions are made as supporting the view already expressed, that the Parliament of Canada, to which the Queen is an actual party by name, and the actual enacting power, by and with the advice and consent of the two Houses of Parliament, is the only Legislative power which can operate in matters not left to the Provincial Legislatures; and that the Queen, not being in any way an enacting party or power of such a Legislature, Her Majesty's name is improperly used in Provincial Legislation; and even if so used, such uses cannot justify any abandonment of prerogative or privilege which is not vested in the Provincial Legislature by the 92nd Section.

As to the *second* paragraph, the undersigned repeats that Sections 109 and 117 allude merely to lands and public property belonging to the Provinces at the time of the Union, and that if property escheated, whether for want of heirs or for crime, subsequently to the date of

Confederation, it cannot be included as lands or property belonging to the Province at the time of the Union. As to lands sold by the Crown prior to Confederation, but not Patented, the fee, so to speak, still remains in the Crown, for the Provinces; but under the 109th section, the Provinces took such lands subject to the trust of carrying out the sale whenever the purchaser complied with the terms thereof. Similarly as to lands which had once been granted, but which had subsequently been surrendered for Provincial use, and also to lands in respect to which Her Majesty had, on the 1st July, 1867, no sort of right or interest, but in trust for the Provinces.

As to the third paragraph—it does not seem to controvert the point that escheat is not within the jurisdiction of a Local Legislature; and as to the fourth paragraph, it can hardly be contended that escheat is a matter of a merely private and local nature.

The fifth paragraph remarks that public convenience is obviously in favour of such property being dealt with by the Province where the question arises.

This is a question of expediency, and it is very possible that the arguments urged in the Order of the Executive Council are entitled to weight. It cannot, however, affect in any way the question of legislative competency, which is the one question with which the undersigned proposes to deal.

Upon a re-consideration of the case, the undersigned is unable to arrive at any other conclusion than the following:—

Firstly.—That escheat is a matter of prerogative, which is not by the B. N. A. Act, 1867, vested in a Provincial Government or Legislature.

Secondly.—That it is not one of the subjects coming within the enumeration of subjects left exclusively to Provincial Legislatures.

Thirdly.—That a Provincial Legislature, by its very statutable composition, has no power to deal with prerogatives of the Crown.

Fourthly.—That the Lieutenant-Governor has not, under the Statute or by his commission, any power to deal with prerogatives of the Crown; and, not being empowered to assent in the Queen's name to any law of a Provincial Legislature, he cannot bind Her Majesty's prerogative rights.

Fifthly.—That the 109th and 117th sections of the B. N. A. Act, 1867, refer only to lands and public property of the several Provinces at the date of the Union, subject to the reservations in Section 108 and Schedule 3.

Sixthly.—That Escheats cannot be dealt with under Section 92, Sub section 5; in respect to the management and sale of the Public Lands belonging to the Province; or Sub section 13, as of property and civil rights in the Province; or Sub section 16, as being a matter of a merely local or private nature in the Province.

Seventhly.—That forfeiture for want of heirs is virtually escheat, and that forfeiture for crime and corruption of blood is a matter of criminal procedure.

The Report further submits, that if, in view of the whole matter, it is not considered proper at present to yield to the argument of strict constitutional or legal right in the Provinces, the Executive Council cannot doubt that it will be just to recommend to the Dominion Parliament to pass an Act confirming what has been done in Ontario, and either expressly giving escheated and forfeited property to the Provinces, or distinctly recognising by a declaratory enactment their right to such property, or by non-interference on the part of the Dominion authorities.

The undersigned is not prepared to say whether Parliament can confer on a Provincial Legislature the power to legislate in respect to a matter of Royal Prerogative or to recognise the right of a Province to escheated property, nor does he feel justified in suggesting that the Act in question should be allowed to go into operation.

He therefore feels it incumbent to advise that the Act of the Legislature of the Province of Ontario, passed on the 24th day of March, 1874, intituled: "An Act to amend the Law respecting Escheats and Forfeitures" be disallowed by Your Excellency in Council.

RETURN

In obedience to an Order of the House, directing, That the Clerk of the House do prepare a Return showing the dates of the receipt by him of the Reports of the Judges in the several Contested Election cases which have been tried subsequent to the last General Election, in which the Elections were avoided, and the dates of the issue by the Clerk of his warrants, and by the Clerk of the Crown in Chancery of the writs, for the holding of the Elections which have taken place since the last General Election ; and for copies of all instructions given to the Clerk of the Crown in Chancery in reference to the issue of such writs, or any of them.

CHARLES T. GILLMOR,
Clerk L. A.

Clerk's Office, Legislative Assembly,
January 10, 1876.

Toronto, 16th December, 1875.

Sir,—I have the honour to forward to you a copy of an Order of the Honourable the Legislative Assembly, and to request that you will be good enough to furnish to me, in compliance with the Order, "Copies of all instructions given to the Clerk of the Crown in Chancery in reference to the issue of writs for the holding of the elections which have taken place since the last General Election, or in reference to the issue of any such writs."

I have the honour to be, Sir,
Your obedient servant,
Charles T. Gillmor,
Clerk L.A.

The Honourable the Provincial Secretary.

Provincial Secretary's Office, Ontario,
Toronto, 10th January, 1876.

Sir,—I have the honour to acknowledge the receipt of your communication dated 16th ultimo, asking to be furnished, in compliance with an Order of the Legislative Assembly, with copies of all instructions given to the Clerk of the Crown in Chancery in reference to he issue of writs for the holding of the Elections which have taken place since the last Gene-

ral Election, or in reference to the issue of any such writs. In reply, I have to state that a copy of your communication was addressed to the Clerk of the Crown in Chancery, with the request that he would furnish the information desired, and that no reply has been received thereto. I may add that no instructions were received by this Department in relation to the matter.

I have the honour to be, Sir,
Your obedient servant,
I. R. ECKART,
Assistant-Secretary.

Col. Gillmor,
Clerk Legislative Assembly.

Names of Electoral Districts.	Date of receiving the Reports of the Judges by the Clerk of the House.	Date of issue of Warrants by the Clerk of the House to the Clerk of the Crown in Chancery.	Date of issue of writs for new Elections by the Clerk of the Crown in Chancery.
County of Monck	May 28, 1875.	May 29, 1875.	June 1, 1875.
County of Welland	June 10 "	June 10 "	" 10 "
County of Russell	" 19 "	" 19 "	July 15 "
Town of Cornwall	" 19 "	" 19 "	June 23 "
County of Dundas	July 6 "	July 6 "	Sept. 4 "
North Riding of the County of Wellington	" 13 "	" 13 "	Aug. 26 "
South Riding of the County of Oxford	Aug. 5 "	Aug. 5 "	" 20 "
South Riding of the County of Essex	" 5 "	" 5 "	" 26 "
East Riding of the County of Peterborough	" 14 "	" 14 "	" 26 "
North Riding of the County of Victoria	" 28 "	" 28 "	Sept. 6 "
North Riding of the County of Ontario	Sept. 27 "	Sept. 27 "	" 27 "
North Riding of the County of Grey	Oct. 1 "	Oct. 1 "	Oct. 6 "
West Riding of the County of Peterborough	" 4 "	" 4 "	" 4 "
County of Halton	" 6 "	" 6 "	" 6 "
North Riding of the County of Wentworth	" 6 "	" 6 "	" 7 "
East Riding of the County of Northumberland	" 12 "	" 12 "	" 12 "

CHARLES T. GILLMOR,
Clerk L. Assembly.

Clerk's Office, Legislative Assembly,
10th January, 1876.

RETURN

To an Address to His Honor the Lieutenant-Governor, praying that he will cause to be laid before the House a Return of the number of prisoners received in each month at the Central Prison from its opening, and the respective Gaols from which received; the number discharged during the same period and the number now there; also, a statement as to whether prisoners have been kept in continuous employment, in accordance with the terms of the contract, and the nature of such employment.

By Command,

S. C. WOOD,
Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, December 22nd, 1875.

CENTRAL PRISON.

RETURN SHOWING PRISONERS' LABOUR.

It must not be supposed, however, that because the prisoners have not been employed by the Canada Car Company, that they have all been idle. On the contrary, there has been performed:

7045	days'	work	improving grounds, making roads, &c.
4830	"	"	in draining shops and yards.
1397	"	"	of carpenters, in Prison and Wardens' quarters.
905	"	"	of painters, " " "
14,177	"	"	estimated at 50 cents per day=$7,088 50; effecting a direct saving to the Public Works Department for the value of these works. And in the domestic departments of the Prison:
1052	days'	work	cultivating field for vegetables, etc.
2813	"	"	of tailors, etc., making and repairing clothing.
2168	"	"	of shoemakers, making 500 pairs of boots and repairing.
105	"	"	of brushmakers, making brushes, brooms, etc.
26650	"	"	in cooking, cleaning, whitewashing, etc.
32,788	"	"	estimated at 50 cents per day=$16,394.

There has also been a gang of men employed at stone breaking, the net receipts from which amount to $412.$\frac{50}{100}$ after deducting cost of material, implements and repairs.

Those who have not been actively engaged at work have been drilled for seven hours daily —an exercise to which they prefer the hardest manual labour, but which has kept them in health, and preserved the discipline of the Institution.

In order that as little time might be lost as it was possible to find employment for, I made enquiry as to picking oakum, and fibre mat-making, as an occupation for the prisoners pending the resumption of operations by the Canada Car Company. I found, however, that the former would only leave a profit per prisoner of from twenty to twenty-five cents per day; while the difficulty of procuring the requisite material for the manufacture of mats was a drawback to the latter employment, as no fund existed for the purchase of material for manufactures. I am of opinion that the labour of prisoners might be profitably employed in this direction, especially as the manufacture of mats and fibre matting is carried on to so large an extent in the Prisons of Great Britain. As, however, this industry was only a makeshift, and not intended to form a permanent occupation in the Prison, I did not feel justified in recommending any outlay in its initiation.

CENTRAL

RETURN showing the number of Prisoners

MONTH.	Brantford.	Barrie.	Berlin.	Brampton.	Brockville.	Belleville.	Cayuga.	Cornwall.	Cobourg.	Chatham.	Goderich.	Guelph.	Hamilton.	Kingston.	London.	Lindsay.	L'Orignal.	Milton.
1874.																		
June	10	2	3	....	3	....	4	2	4	3	....	3	24	8	20	....	....	....
July	....	....	2	....	2	1	....	....	2	....	....	....	23	....	5	1	....	....
August	1	....	2	1	1	....	2	....	2	2	....	....	12	2	....	....	1	1
September	....	....	....	2	5	1	1	....	2	3	3	2	20	1	....	....	....	....
October	2	1	2	....	2	1	....	2	2	2	....	3	18	10	1	1	....	....
November	2	....	....	....	....	....	....	1	....	....	....	1	12	9	2	....	....	....
December	....	....	....	....	....	....	....	....	....	....	....	1	6	7	....	....	....	....
1875.																		
January	5	....	....	3	....	1	2	1	1	....	....	2	20	4	3	....	....	1
February	3	....	....	....	1	....	....	....	....	....	....	....	2	1	2	....	....	....
March	....	....	....	....	....	....	....	2	....	....	....	1	....	....	....	....	....	....
April	....	....	....	....	2	....	....	....	1	....	....	....	2	4	3	....	....	....
May	....	....	3	....	3	....	....	....	....	....	....	....	2	....	....	....	....	....
June	....	....	....	....	....	3	....	....	....	....	....	....	3	....	3	....	....	....
July	3	....	1	....	....	....	....	....	....	1	....	....	....	....	3	....	....	....
August	2	....	....	....	7	....	....	1	2	1	....	....	3	12	1	....	....	....
September	....	....	1	....	7	....	....	....	2	....	....	....	4	....	5	....	....	....
October	2	....	....	....	5	....	....	....	1	1	2	....	2	2	7	....	....	....
November	....	....	....	....	5	2	....	9	1	....	....	....	1	2	4	....	....	....
December	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
Total Admissions	30	3	14	6	43	9	9	18	20	13	5	13	154	62	59	2	1	2

1st December, 1875.

PRISON.

received each month, and from what Gaols.

Napanee.	Ottawa.	Owen Sound.	Picton.	Pembroke.	Peterborough.	Simcoe.	St. Catharines.	Sarnia.	Stratford.	Sandwich.	St. Thomas.	Port Hope.	Clifton.	Toronto.	Walkerton.	Woodstock.	Welland.	Whitby.	Total Admissions.	Total Discharges.
1	6	...	...	2	...	...	9	1	1	5	5	...	...	23	1	4	3	...	147	2
....	1	...	...	5	1	....	11	...	....	1	3	...	...	14	....	...	1	...	73	5
2	...	...	...	....	...	3	10	2	1	3	...	3	...	19	...	1	....	2	73	36
....	2	...	...	2	....	4	3	....	2	4	3	3	4	10	....	....	....	....	77	50
2	1	...	...	....	1	...	3	2	...	7	2	....	....	33	...	....	1	....	99	62
....	6	1	...	....	1	....	1	...	....	1	...	...	...	17	1	...	....	....	55	48
....	....	....	....	....	1	1	2	....	1	2	...	...	....	6	....	....	1	....	28	46
....	....	1	1	....	....	....	1	1	....	1	2	....	....	12	...	4	....	2	68	51
....	....	....	....	....	....	....	....	....	....	1	....	....	....	5	....	2	....	1	18	43
....	2	1	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	6	40
....	....	....	....	....	....	....	3	....	....	....	....	....	....	....	....	....	....	....	15	48
....	3	....	....	....	....	1	....	....	....	8	1	....	....	....	....	....	2	1	24	50
....	....	....	....	....	....	1	1	....	....	....	1	....	....	....	....	....	....	4	16	40
....	....	....	....	....	....	2	....	....	2	....	1	....	....	....	1	....	....	....	14	24
....	....	....	....	1	....	2	1	....	....	2	2	1	....	....	....	....	....	....	38	22
....	....	....	....	1	....	....	6	3	1	....	....	....	....	13	....	....	1	1	45	23
....	....	....	....	....	....	....	....	1	1	2	....	....	....	....	....	....	....	1	27	24
....	....	....	....	....	....	....	....	....	....	....	1	7	....	....	....	....	....	....	32	23
....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
5	21	3	1	11	4	14	51	10	9	37	21	14	4	152	3	11	9	12	855	637

Total inmates on 30th November. . . . 218.

WILLIAM STRATTON PRINCE,
Warden, Central Prison.

SECOND REPORT

OF THE

Commissioners for Consolidating the Statutes.

To His Honour the LIEUTENANT-GOVERNOR *of the Province of Ontario.*

The Commissioners appointed for the Consolidation and Revision of the Statutes affecting the Province of Ontario have the honour to report as follows: –

We regret to have to report that it has been found impossible to complete a draft of the whole of the work entrusted to us in time to enable your Honour to submit it to the Legislative Assembly at its present Session.

Apart from the special difficulties which attend the work, and were alluded to in our previous Report, the body of Statutes to be examined has proved larger, and the labour of arrangement and revision greater than we anticipated.

We have, however, considerable progress to report.

At the date of our previous Report we had only completed the necessary preliminary examination of the Statutes. Since that date the actual work of consolidating the Acts within the legislative authority of the Legislature of Ontario has been continuously proceeded with; all those Acts have been digested and arranged in manuscript under appropriate titles, and are now undergoing a thorough revision while passing through the press. A copy of the printed draft, so far as completed, accompanies the present Report.

The Statutes of the late Province of Canada not within the legislative authority of the Provincial Legislature, together with the Statutes of the Dominion Parliament affecting Ontario, have been classified according to their subjects, and about a third part of these has been printed, with the addition of notes indicating, as far as possible, the effect upon each Act of subsequent legislation, and with such other annotations as appeared to conduce most to convenience of reference.

Such of the Imperial Acts affecting Ontario as it was considered advantageous to print, have been collected, printed in chronological order, and will be submitted to your Honour.

In the course of the revision of the Acts within the authority of the Provincial Legislature, a large number of incongruities have presented themselves. Many of these are due to the peculiar nature of the Statute law affecting this Province, consisting as it does in a great measure of enactments passed under a constitution which no longer exists, and having application within a territory of which the present Province of Ontario forms only a part.

We have considered that the scope of our authority justified us in altering the form of most of these enactments so as to bring them into harmony with the new constitution of the Province or the plain intention of the Legislature. Some of them, however, which we did not consider ourselves authorized to deal with without the assistance of legislation, are mentioned in the subjoined schedule, together with some amendments which have suggested themselves.

When the work of revision is further advanced, we may be able to suggest other amend-

ments, and possibly of a more substantial character; but it has been deemed inadvisable to hurry through the press a work of so much importance without weighing more carefully than we have yet done many of the numerous questions involved, and considering the direction in which amendments might be made with advantage.

One other matter appears to us to require a few remarks.

Provisions trenching upon, if not wholly within, the subject of "Criminal Law," are, of course, to be found in many of the Acts of the late Province of Canada, which are in other respects within the exclusive legislative powers of the Provincial Legislature, and therefore have reference to matters with which the Dominion Parliament would not be called upon to deal. The provisions referred to are designed to carry the particular Act into effectual execution. The natural place for such provisions would therefore be in the Act which they are to assist in carrying out, but if they were so placed, some auxiliary legislation by the Dominion would be required.

In the present only partially completed state of the work of revision, we are not in a position to lay before your Honour a complete list of such provisions, and to furnish one or two instances would answer no useful purpose. In view, however, of the desirability of defining sharply the line between the subjects for legislation by the Dominion and the Province, respectively we would recommend, if application is made to the Dominion Parliament, that it be for such legislation as will tend to separate once for all the enactments now in force in this Province according to the distribution made by the British North America Act of the legislative powers, and to exclude from the Provincial Statute Book all provisions which would be in form enactments of the Provincial Legislature, but would owe their legal validity to a confirmatory enactment of the Dominion Parliament.

WM. H. DRAPER.
S. H. STRONG.
GEO. W. BURTON.
C. S. PATTERSON.
O. MOWAT.
THOMAS LANGTON.
C. R. W. BIGGAR.
RUPERT E. KINGSFORD.

SCHEDULE OF SUGGESTIONS.

The following are the points alluded to in the foregoing Report, upon which legislation is recommended:—

1. That the following Acts or parts of Acts be expressly repealed:—

C. S. C., c. 3 Special provisions relating to the Legislature.

The provisions contained in this Act were re-enacted by the Ontario Acts 32 V. c. 2 and 1, and 33 V. c. 3, but the Act was not repealed.

C. S. C., c. 11. An Act respecting the Civil Service.

This Act has been treated by the successive Governments of Ontario as not in force in the Province.

C. S. C, c. 12 (ss. 8 to 22). Public officers.

These sections have been re-enacted by the Ontario Act, 32 V. c. 29.

C. S. C., c. 14. Public moneys, debts and accounts.

This Act appears to be inapplicable to Ontario.

C. S. C., c. 16 (ss. 15 to 29). Collection and management of the Revenue.

Sections 15 to 27, and 27-8 V. c. 6 amending these sections, appear to be inapplicable to Ontario.

Sections 28 and 29 do not appear to be acted upon, and the Board of Audit referred to in sec. 29 as the body to which returns are to be made, does not now exist.

C. S. C., c. 33. Census and Statistics (except the first clause of section 32 and section 35).

The first 24 sections of this Act were repealed by the Dominion Act respecting the Census of 1871 (33 V. c. 21, s. 30), but they might be considered to be in

force in Ontario, under B. N. A. Act, 1867, sec. 129, for the purpose of the taking of a Provincial Census.

Sections 25–27 and 30 and 31 are introduced into the Municipal Act, 36 V. c. 48 ss. 190 et seq.

Section 28 appears to be effete.

Sections 33, 34 and the last clause of 32, are repealed by 32 V. c. 30, s. 13.

The returns mentioned in s. 36 are already required to be made to the Treasurer of the Province. See C. S. U. C. c. 124, s. 5, as amended by 32 V. c. 2, s. 9.

C. S. U. C., c. 4. Respecting Government Debentures.

This Act appears to be inapplicable to Ontario.

27–8 V. c. 53. An Act to enable certain religious societies, &c., to appoint successors to trustees.

35 V. c. 35, amending C. S. U. C., c. 69, respecting the property of Religious Institutions.

These two Acts, though intended to be repealed, were incorrectly cited in 36 V. c. 135, s. 18.

2. That the returns required by section 35 of C. S. U. C., c. 33, be required to be made to the Treasurer of Ontario instead of to the Board of Registration and Statistics.

3. That the words "Thorah (including Canise Island)" be inserted in sub-section 23 of C. S. U. C. c. 3, instead of the word "Thora," it having been ascertained in inquiries made for the purposes of the Act respecting the Territorial Division of the Province this is necessary.

4. That C. S. U. C., c. 11, s. 7, be amended by empowering the Sheriff to adjourn the Court in the cases therein mentioned after the hour of six o'clock instead of eight o'clock in the afternoon.

5. That a permanent Marshal and Clerk of Assize be appointed for the County of York.

The duties of this officer are at present discharged by a clerk from one of the Crown offices at Osgoode Hall, each of the Superior Courts of Law furnishing alternately a Marshal and Clerk of Assize, and the increase of business renders necessary an additional officer, whose special duty shall be this service.

The time occupied by the Court of Assize and of Oyer and Terminer for the County of York in 1874, was as follows:—

Winter Assize	21 days.	
Spring Assize	26 "	
Summer Assize	20 "	
Fall Assize	45 "	
	—	
		112 days.
Spring Oyer and Terminer	9 days.	
Fall " "	14 "	
	—	23 days.
		—
		135 days.

6. That the C. S. U. C. c. 12 (Court of Chancery) be amended by substituting for the words "Registrar" and "Registrar of the Court," in ss. 34 and 37, the words "any officer appointed by the Court for that purpose," and by requiring that the bond given by the Committee of a lunatic under s. 37 (1), be conditioned also for the filing of the inventory required by sub-section 2 of the same section.

7. That the name of the Court of Error and Appeal be changed to "The Court of Appeal."

The Court of Appeal is the title of the Appellate division of the Supreme Court of Judicature in England. The words "Error and" are superfluous, and the Court has been already referred to in some Statutes as the Court of Appeal; see C. S. U. C. c. 13, s. 2; 37 V. c. 7, ss. 8 and 14) and the official title of the Chief Justice of the Court is "The Chief Justice of Appeal." (See 32 V. c. 24, s. 1.)

8. That C. S. U. C., c. 13, s. 7, be repealed, and provision be made for the appointment of a Registrar of the Court of Error and Appeal.

9. That a party wishing to appeal from the decision of a County Court Judge under

C. S. U. C. c. 15, ss. 67 and 68, and the various Acts amending those sections, may be allowed to give the security required on such an appeal by a deposit of money; and that such appeals be made to the Court of Error and Appeal, instead of to one of the Superior Courts of Law.

10. That C. S. U. C. c. 22, s. 100, be amended so as to provide that money to be paid into Court shall be deposited to the credit of the cause in some bank designated for that purpose: that an account of all moneys so paid in shall be kept by the Clerk or Registrar of the Court, who shall make a return thereof to the Provincial Secretary and the Judges on the 1st day of January in each year, and give to any party interested a certificate of the state of the account.

11. That doubts at present existing be set at rest by an enactment that a replevin bond shall be subject to the provisions of Imp. Stat. 8 and 9 W. III. c. 11, s. 8.

12. That the practice in ejectment be assimilated to that in other actions at law, and the practice under the English Court of Supreme Judicature. (Draft Act submitted.)

13. That the Interpleader Act be amended by providing a time for the delivery of a jury notice in cases where it is desired that the issue be tried by a jury.

Under 32 V. c. 6, s. 18, a party who requires a jury must "file with his last pleading and serve on the opposite party" a notice to that effect. In Interpleader cases a feigned issue is ordered without pleadings (C. S. U. C. c. 30, s. 2), and it is therefore necessary that some provision be made other than that contained in the Act first cited.

14. That so much of C. S. U. C. c. 33, s. 6 (Schedule), as requires the payment of a fee upon the filing of amended bill in the Court of Chancery be struck out.

15. That C. S. U. C. c. 80, s. 2, be amended by adding the Chief Justice and Justices of the Court of Error and Appeal to the persons who may be members of the quorum of the Heir, Devisee and Assignee Commission.

16. That new clauses be enacted in amendment of secs. 1 and 2 of C. S. U. C. c. 87, respecting mortgages.

The obscurity of these sections has been repeatedly remarked upon.

17. That the law relating to mortgages be amended so as to enable any purchaser in good faith of a mortgage to set up the defence of a purchase for value without notice against any person other than the mortgagor; and that the defence of purchase for value without notice shall be available, notwithstanding the whole of the purchase money may not have been paid.

18. That the first section of 23 V. c. 24, respecting foreign judgments be repealed.

19. That the Act respecting the Quieting of Titles to real estate, 29 V. c. 25, be extended so as to include applications by the Crown.

20. That section 6 (13thly) of the Interpretation Act be amended by providing that the word "holiday" shall include any day appointed by proclamation of the Governor-General or Lieutenant-Governor as a public holiday; and that the days which may be observed as holidays by Sheriffs, Registrars, the officers of the different Courts and others, be made more uniform than at present.

21. That section 2 of 31 V. c. 18 be explained to mean that whenever a new *General* Commission of the Peace is issued, all former *General* Commissions shall be revoked and cancelled.

22. That section 75 of the Registry Act, as amended by 35 V. c. 29, be amended by providing that the admeasurements therein directed to be made, be made according to the "astronomical" bearings, instead of according to the "magnetic" bearings, and that the map or plan therein mentioned be signed by the person, or by the chief officer of the Corporation filing the same, as well as certified by a Provincial Land Surveyor.

23. That the limits of the Territorial Districts of Muskoka and Parry Sound be made the same for all purposes.

The Electoral District of Muskoka and Parry Sound comprises territory not comprised in the Territorial Districts of Muskoka or Parry Sound, but forming part of the County of Simcoe (viz., the unorganized territory on Georgian Bay south of the River Severn), and also territory forming part of the temporary judicial District of Nipissing, viz., the unorganized territory bounded on the north by the south boundary of Parry Sound, on the east by Bobcaygeon Road,

on the south by the Township of Franklin, and on the west by the Township of Chaffey.

24. That the Partition Act be repealed, and provision made for giving the Court of Chancery all necessary powers, so as to render the proceedings binding upon absent or unknown parties. If the Act is not repealed, the Commissioners recommend that the words "shall vest in the purchaser an absolute and indefeasible title" be struck out of 36 V. c. 16, s. 11.

The original Partition Act (2 Wm. IV. c. 35) was passed before the establishment of the Court of Chancery in this Province, and though it has been amended from time to time, the proceedings in Chancery are less cumbrous and expensive, besides being more expeditious and secure, better protection for the interests of infants.

25. That 37 V. c. 19, s. 22, be repealed.

This section, which provided that in equalizing, for the purpose of county rates, the assessment of the various local municipalities, 60 per cent. of the assessed value should, in the case of towns and villages, be taken as a basis, subject to increase or reduction by the County Council, has sometimes been interpreted as fixing the County assessment for the towns and villages at 60 per cent. only of the actual value as compared with the full actual value in the townships, which (it is presumed) was not the intention.

26. That 36 V. c. 8, s. 14, and 37 V. c. 7, s. 17, be amended by providing that an appeal from the decision of a single Judge without a re-hearing may be had without the consent of the Judge appealed from.

27. That sections 68 and 69 of the Municipal Act be amended so as to make it clear that the 500 additional persons necessary to entitle the Municipality to a Deputy-Reeve or additional Deputy-Reeve need not be voters, in case that was the intention of the Legislature.

28. That 36 V. c. 48, s. 102, and 37 V. c. 16, s. 3, be amended so as to provide that when the last Monday in December happens to be Christmas Day, the nomination shall take place on the following day.

29. That section 298 of the Municipal Act be amended by striking out the words "two hundred and forty-seven" in the seventh line, and inserting in lieu thereof the words "two hundred and forty-eight."

The words "two hundred and forty-seven" appear to have been a clerical error for "two hundred and forty-eight."

30. That section 316 of the same Act be repealed, as conflicting to some extent with section 319.

Section 316 appears to have formed one of several clauses in the Municipal Act of 1866 relating to pounds and pound-keepers, and to have been inserted in the present Municipal Act by mistake, the other sections relating to pounds being omitted.

31. That section 410 of the same Act be extended so as to give County Councils exclusive jurisdiction over *township* roads and bridges, which appear to have been inadvertently excluded from the section as amended by 37 V. c. 16.

32. That the clerical errors in the repealing clause (s. 18) of 36 Vic. c. 135, be corrected.

33. That 37 Vic. c. 7, s. 26, be amended by empowering any Justice of Appeal appointed to hold Assizes, &c., to authorize a County Court Judge or Queen's Counsel to sit for him.

34. That section 48 of the Consolidated Public School Act of 1874, be amended by providing that Township Councils may divide the Township into five wards for the purposes of the election of Trustees in Townships desiring to establish a Public School Board for the Township.

The Consolidated Public School Act of 1874 provides that when it has been determined to establish a Public School Board for any township, the five trustees shall be elected "one from each ward if the township is divided into wards." The Municipal Act of 1873, s. 91, provides that "the number of wards shall be four in all cases." It is therefore necessary that in the case above mentioned, a new division into wards should be made for the purposes of the School Act.

35. That the clerical errors referred to in the foot-notes to 37 V. cc. 27 and 28, be corrected: that section 27 (4) of 37 V. c. 27, be amended by striking out the words "and fix their remuneration;" and that section 46 (6) of 37 V. c. 28, be made more clear.

36. That 38 V. c. 20, s. 14, be amended so as to provide expressly that a further lien may be gained (if that was the intention of the Legislature) by registering a statement of claim under 36 V. c. 27, s. 2, to which the provisions of the Registry Act shall apply.

RETURN

To an Address of the Legislative Assembly to His Honor the Lieutenant-Governor, praying that he will cause to be laid before the House a Return showing the Revenue derived from the District of Algoma, from 1st January, 1868, up to 30th September last, including amount realized from sales of timber berths and mineral or other lands.

By Command,

S. C. WOOD,
Secretary.

Provincial Secretary's Office,
Toronto, 11th January, 1876.

Department of Crown Lands,
Woods and Forests Branch,
Toronto, 7th January, 1876.

Sir,—As requested in your letter of 17th ult., I have the honour herewith to transmit a "Return showing the revenue derived from the District of Algoma, from 1st January, 1868, up to 30th September, 1875, including amount realized from sales of timber berths and mineral and other lands," called for by Resolution of the Honourable the Legislative Assembly, dated 15th ult.

Your obedient servant,
Thos. H. Johnson,
Assistant Commissioner.

The Hon. the Provincial Secretary of Ontario.

Return showing the revenue derived from the District of Algoma from 1st January, 1868, up to 30th September, 1875, including amount realized from sales of timber berths and mineral and other lands, prepared in compliance with a Resolution of the Honourable the Legislative Assembly, dated 15th December 1875.

Amount from timber dues, ground rent and sales of timber berths.. ...	$452,337 10
Amount from mineral and other lands.....	301,929 11
Total	$754,266 21

Thos. H. Johnson,
Assistant Commissioner.

Department of Crown Lands,
Toronto, 6th January, 1876.

RETURN

To an Address of the Legislative Assembly to His Honor the Lieutenant-Governor, praying that he will cause to be laid before the House a Return showing the outlay on capital account expended on Normal and Model Schools till the 30th September, 1875; the average annual cost to the Province of each pupil attending these schools for the last two years; the number of pupils in each year for the last ten years, with the County they came from, distinguishing between male and female, and the average length of time they remained in the profession; the number of pupils taught by each teacher for the last two years, distinguishing each year.

By Command,

S. C. WOOD,
Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, 11th January, 1876.

TORONTO, January 11th, 1876.

Normal and Model Schools, Toronto.

Total amount paid on capital account to September 30th, 1875..... $41,707 31

Certified.
W. R. HARRIS,
Accountant.

DEPARTMENT OF PUBLIC INSTRUCTION FOR ONTARIO,
Education Office, Toronto, 20th Dec., 1875.

SIR,—I have the honour, in reply to your Assistant-Secretary's letter of the 16th inst., to transmit herewith the Return of information desired by the House, so far as it is in the power of this Department to furnish it.

I regret that with regard to some of the items, the details required by the House are not available.

I have the honour to be, Sir,
Your obedient servant,
E. RYERSON.

The Honorable S. C. Wood, M.P.P.,
Provincial Secretary, Toronto.

NUMBER OF STUDENTS who have been admitted to the Normal School, Toronto, from Sexes.

COUNTIES.	1865.			1866.			1867.			1868.			1869.		
	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.
Glengarry	1	1	2		2	2	1		1		1	1	1	2	3
Stormont		1	1		2	2							1		1
Dundas	2	1	3	1		1		1	1				3	3	6
Prescott	1		1					1	1					3	3
Russell	1		1							2		2			
Carleton	7		7	3		3	1	1	2	3	2	5	3		3
Grenville	1	1	2	1	2	3	1	1	2	2		2	1	1	2
Leeds	1		1	3		3	3	3	6	3		3	3	2	5
Lanark	1		1	1		1	5	1	6	1		1	8		8
Renfrew	1		1							3		3			
Frontenac	2	1	3		3	3					2	2		2	2
Lennox								1	1						
Addington	1		1					1	1				1	1	2
Prince Edward	2	1	3	2		2				2	2	4	4		4
Hastings	3	1	4	3		3	3	1	4	1	3	3	4	2	6
Northumberland	6	3	9	8	1	9		4	4	1	6	7	2	3	5
Durham	16		16	5	5	10	4	9	13	10	9	19	13	14	27
Peterborough				1	2	3	3		3	2	4	6		2	2
Victoria	2		2				4		4	1		1	2		2
Ontario	3	1	4	3		3	4	3	7	6	6	12	8	7	15
York	18	84	102	14	73	87	12	70	82	14	56	70	9	48	57
Peel	5		5	3		3	2	4	6	4	2	6	9	4	13
Simcoe	6	2	8		3	3	4	1	5	2	2	4	9	2	11
Halton	3	3	6	2	4	6		4	4	1	1	2		4	4
Wentworth	1	26	27	2	32	34	3	22	25	1	17	18	6	26	32
Brant	1	1	2	5	3	8	3		3		6	6		5	5
Lincoln							4	2	6	2	1	3	2	1	3
Welland	2	3	5		1	1	1		1		6	6	2	5	7
Haldimand	1	2	3				1	1			3	3	1	7	8
Norfolk		1	1		4	4	1	6	7					1	1
Oxford	9	6	15	11	6	17	1	5	6	4	6	10	12	9	21
Waterloo		1	1	6	3	9	8	1	9	3		3	8	1	9
Wellington	2	2	4	7	1	8	7	1	8	2	1	3	3	2	5
Grey	3	1	4	2	1	3	3		3	8		8	2	2	4
Perth	8	1	9	10	2	12	3	3	6	6	3	9	3	2	5
Huron	8	1	9	6		6	1	1	2	4		4	9		9
Bruce	1		1	3		3	1	1	2	5		5	2		2
Middlesex	14	11	25	5	13	18	4	7	11	7	4	18	9	12	21
Elgin	2	4	6	2	1	3	4	1	5	4	2	6	10	4	14
Kent				5	2	7	2		2	3		3	1	2	3
Lambton	1		1	4	2	6	2	1	3	2	2	4	5	2	7
Essex		1	1		1	1					1	1	2	1	3
Parry Sound District															
Total	136	161	297	118	169	287	91	162	253	108	155	263	158	182	340

the year 1865 to 1875, inclusive, the Counties whence they came, distinguishing the

1870.			1871.			1872.			1873.			1874.			1875.			Total.		
Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.
....	....	....	....	....	....	....	4	4	....	1	1	....	....	....	....	1	1	3	12	15
1	1	2	....	....	....	1	2	3	....	....	....	....	....	....	....	1	1	3	7	10
....	1	1	1	1	2	1	....	1	....	....	....	1	....	1	1	....	1	10	7	17
....	....	....	....	....	....	....	....	....	1	....	1	....	....	....	2	....	2	4	4	8
....	....	....	....	1	1	....	....	....	1	....	1	2	....	2	....	....	....	6	1	7
....	1	1	7	1	8	2	1	3	3	....	3	2	....	2	2	....	2	33	6	39
1	2	3	....	4	4	1	1	2	....	....	....	....	2	2	1	2	3	9	16	25
4	3	7	1	....	1	2	5	7	1	2	3	1	2	3	2	1	3	24	18	42
3	2	5	1	....	1	....	1	1	....	1	1	....	....	....	....	....	....	20	5	25
1	....	1	2	....	2	....	....	....	....	....	....	1	....	1	....	....	....	8	....	8
....	5	5	....	2	2	5	....	5	....	....	....	2	2	4	....	....	....	9	17	26
....	2	2	1	2	3	....	....	....	1	....	1	....	1	1	....	....	....	2	6	8
....	1	1	1	....	1	1	4	5	1	....	1	....	....	....	....	....	....	5	7	12
9	....	9	4	5	9	6	3	9	5	....	5	5	1	6	2	8	10	41	20	61
8	3	11	1	3	4	3	6	9	2	....	2	4	4	8	8	6	14	39	29	68
1	7	8	1	2	3	4	6	10	....	2	2	1	3	4	2	3	5	26	40	66
6	7	13	8	10	18	6	11	17	2	13	15	8	4	12	6	5	11	84	87	171
3	2	5	2	....	2	1	3	4	4	2	6	1	6	7	....	5	5	17	26	43
3	4	7	5	9	14	1	3	4	1	7	8	2	3	5	4	3	7	21	33	54
4	10	14	1	9	10	3	10	13	3	6	9	10	12	22	5	2	7	50	66	116
14	60	74	10	68	78	22	50	72	19	68	87	33	92	125	19	59	78	184	728	912
2	3	5	5	4	9	1	4	5	1	5	6	3	1	4	4	2	6	39	29	68
1	1	2	7	4	11	9	2	11	7	5	12	8	8	16	7	3	10	60	33	93
2	5	7	1	1	2	....	1	1	1	2	3	....	2	2	3	8	11	13	35	48
....	18	18	3	19	22	2	12	14	4	2	6	3	3	6	1	6	7	26	183	209
4	....	4	1	2	3	3	6	9	1	1	2	2	3	5	1	8	9	21	35	56
....	5	5	1	3	4	1	1	2	....	1	1	2	....	2	....	1	1	12	15	27
1	4	5	....	1	1	3	4	7	....	10	10	....	....	....	1	....	1	10	34	44
1	....	1	6	4	10	3	5	8	4	1	5	....	4	4	1	....	1	17	27	44
....	3	3	....	2	2	4	2	6	3	....	3	....	1	1	....	....	....	8	20	28
6	5	11	4	2	6	9	5	14	3	7	10	10	8	18	7	7	14	76	66	142
7	13	20	1	4	5	9	1	10	1	....	1	1	1	2	6	....	6	50	25	75
1	1	2	5	5	10	6	5	11	5	3	8	6	4	10	3	5	8	47	30	77
4	5	9	6	4	10	1	2	3	3	....	3	3	....	3	6	2	8	41	17	58
5	4	9	17	6	23	11	4	15	2	5	7	5	2	7	14	7	21	84	39	123
13	3	16	21	2	23	14	2	16	10	2	12	9	6	15	10	4	14	105	21	126
6	1	7	4	....	4	8	2	10	2	....	2	1	1	2	3	2	5	36	7	43
12	6	18	8	8	16	10	1	11	6	9	15	11	10	21	17	9	26	103	97	200
3	6	9	9	5	14	8	1	9	2	....	2	....	2	2	6	8	14	50	34	84
5	1	6	5	3	8	3	3	6	9	2	11	2	1	3	4	3	7	39	17	56
2	3	5	1	2	3	4	....	4	5	....	5	2	3	5	5	6	11	33	21	54
1	....	1	....	....	....	....	....	....	....	....	....	....	4	4	2	....	2	5	8	13
....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	1	1	....	1	1
134	198	332	151	198	349	168	173	341	113	157	270	141	196	337	155	178	333	1473	1929	3402

Normal School Return.

1. The cost of the Educational Buildings on Victoria Square was $100,000. As the contracts were not separate, the proportion properly chargeable to the Normal School cannot be definitely ascertained.

2. The total current expenditure on Normal and Model Schools in 1874 was $23,720
Less fees paid by Model School pupils to credit of Province 8,627

$15,093

3. There were 337 admissions of teachers in training in 1874, but there being two sessions, the number of individual students for 1874 was 269, and in the Model School were 400 children; total pupils, 669. The cost of each was therefore $22 56.

4. The net number of Normal School students admitted in 1875 was 303. With the Model School pupils, 703.

5. The total current expenditure in 1875 was $23,965
Less fees paid by Model School pupils to credit of Province..... 8,348

$15,617

Cost per pupil, $22 21

6. The above expenditure is exclusive of the amount expended on the building by the Public Works Department, 1874 and 1875, of which the Education Department has no information.

7. The Department is not in possession of information as to the time spent by each teacher in the profession, or of the number of pupils he may teach.

E. Ryerson.

RETURN

To an Address of the Legislative Assembly to His Honor the Lieutenant-Governor, praying that he would cause to be laid before the House a return of the number of Inquests held by Coroners throughout the Province of Ontario during the year 1874; how many of such Inquests have been certified by the County Attorney in each county in which such Inquests were held as cases in which, in his opinion, it was necessary to hold Inquests; and also how many of such Inquests the said official in such county did not consider it necessary that an investigation should be held; also, showing the whole number of Coroners in Ontario at present, with the amount of fees paid during the past year.

By Command,

S. C. WOOD,
Secretary.

Provincial Secretary's Office,
Toronto, 11th January, 1876.

Toronto, 10th January, 1876.

Sir,—I have the honour. by direction of the Hon. the Treasurer, to transmit a return to an Address of the Legislative Assembly requiring certain information respecting inquests held by Coroners during the year 1874.

I have the honour to be, Sir,
Your obedient servant,
Henry Totten,
pro the *Treasurer.*

The Hon. S. C. Wood,
Provincial Secretary,
Toronto.

RETURN to an Address of the Legislative Assembly to His Honor the Lieutenant-Governor, praying that he will cause to be laid before the House a return of the number of Inquests held by Coroners throughout the Province of Ontario during the year 1874; how many of such inquests have been certified by the County Attorney in each County as cases in which, in his opinion, it was necessary to hold Inquests; and also how many of such inquests the said official did not consider it necessary that an investigation should be held; also, showing the number of Coroners in Ontario at present, with the amount of fees paid during the past year.

NAME OF COUNTY.	Number of Inquests.	Number certified by County Attorney as necessary.	Number certified by County Attorney as unnecessary.	Amount of Fees paid to Coroners.	REMARKS.
				$ cts.	
Algoma (District)	2	2		16 50	
Brant	19	19		206 65	
Bruce	5	5		46 00	
Carleton	24	24		181 60	
Elgin	9	9		93 60	
Essex	6	6		82 91	
Frontenac	22	22		192 75	
Grey	20	20		193 45	
Haldimand	4	4		39 40	
Halton	8	8		75 75	
Hamilton, City of	31	31		286 50	
Hastings	15	15		155 25	
Huron	34	34		340 85	
Kent	29	29		269 40	
Lambton	25	25		248 02	
Lanark	13	13		140 45	
Leeds and Grenville	17	17		174 75	
Lennox and Addington	7	7		80 60	
Lincoln	26	26		238 20	
Middlesex	22	22		256 65	
Norfolk	5	5		51 55	
Northumberland and Durham	28	28		298 50	
Ontario	7	7		69 64	
Oxford	11	11		98 55	
Peel	9	8	1	88 55	
Perth	12	12		119 90	
Peterborough	19	19		175 60	
Prescott and Russell					
Prince Edward	4	4		56 90	
Renfrew	7	7		67 20	
Simcoe	28	28		303 02	
Stormont, Dundas and Glengarry	12	12		109 45	
Toronto, City of	93	93		861 70	
Victoria	11	11		114 10	
Waterloo	10	10		80 90	
Welland	27	27		237 95	4 Inquests held by Coroner McMahon, and paid, without certificate of County Attorney.
Wellington	19	19		184 00	
Wentworth	11	7		110 85	
York	29	28	1	306 05	
	680	674	2	6653 69	

Total number of Coroners appointed in Ontario, 1045.

ADAM CROOKS,
Treasurer.

Treasury Department,
Toronto, 10th January, 1876

(No. 41.)

Municipal Statistics of the Province of Ontario, for the year 1873.
(Not Printed.)

(No 42.)

Municipal Statistics of the Province of Ontario, for the year 1874. *(Not Printed.)*

RETURN

To an Address to His Honor the Lieutenant-Governor, praying His Honor to cause to be laid before the House *a Return* of all moneys paid under the Railway Aid and Subsidy Acts, and respective roads to which paid, the number of miles constructed and under construction, together with the amount of bonuses, contributions by Municipalities to the respective roads so aided, so far as the same is not in the possession of the House.

By Command,

S. C. WOOD,
Secretary.

Provincial Secretary's Office,
Toronto, 12th January, 1876.

TABLES shewing the Amount of Municipal Bonuses contributed to the Railways which have received aid under the Railway Aid and Railway Subsidy Act.

No.	Name of Railway.	Municipalities granting Aid.	Amount of aid granted.	Total per Railway.
			$ cts.	$ cts.
1	Toronto, Grey and Bruce	City of Toronto	350,000 00	
		Town of Orangeville	15,000 00	
		Village of Mount Forest	20,000 00	
		do Owen Sound	5,000 00	
		Township of Albion	40,000 00	
		do Caledon	45,000 00	
		do Mono	45,000 00	
		do Amaranth	30,000 00	
		do Arthur	35,000 00	
		do Minto	15,000 00	
		do Howick	40,000 00	
		do Culross	42,000 00	
		do Turnbury	5,000 00	
		County of Grey and Owen Sound	300,000 00	
				988,000 00
2	Wellington, Grey and Bruce	Township of Peel	40,000 00	
		Village of Fergus	10,000 00	
		do Elora	10,000 00	
		Township of Marlborough	40,000 00	
		do Nichol	10,000 00	
		do Wallace	25,000 00	
		do Minto	65,000 00	
		do Bruce	278,600 00	
		do Howick	20,000 00	
		Village of Listowel	15,000 00	
		Township of Grey	35,000 00	
		do Elma	30,000 00	
		do Morris	30,000 00	
		do West Wawanosh	18,000 00	
		do Ashfield	10,000 00	
		do Turnbury	28,000 00	
		do Kincardine	8,000 00	
		do Wallace	10,000 00	
				682,000 00
3	Victoria	Town of Lindsay	85,000 00	
		Section and Township of Fenelon, including Fenelon Falls	15,000 00	
		Section and Township of Verulam	7,000 00	
		do Somerville	10,000 00	
		Provisional County of Haliburton	55,000 00	
				172,000 00
4	Credit Valley	Section of the County of Halton	75,000 00	
		do do Peel	70,000 00	
		do do Wellington	135,000 00	
		do do Waterloo	110,000 00	
		do do Oxford	200,000 00	
		City of Toronto	100,000 00	
		Town of Milton	30,000 00	
		do Brampton	20,000 00	
		Village of Streetsville	20,000 00	
		Woodstock and Ingersoll by agreement furnish right of way, materials, &c., estimated	50,000 00	
				810,000 00
5	Norfolk	Town of Brantford	70,000 00	
		Township of Burford	30,000 00	
		do North Norwich	30,000 00	
		Town of Tilsonburg	8,000 00	
		Township of Baylham	30,000 00	
		do Houghton	10,000 00	
		Town of Vienna	4,000 00	
				182,000 00

TABLES showing the Amount of Municipal Bonuses contributed to the Railways which have received aid, &c.—*Continued.*

No.	Name of Railway.	Municipalities granting Aid.	Amount of aid granted.	Total per Railway.
			$ cts.	$ cts.
6	Grand Junction	Town of Belleville	100,000 00	
		Village of Stirling	5,000 00	
		Township of Rawdon	10,000 00	
		do Seymour	35,000 00	
		County of Peterborough	75,000 00	
				225,000 00
7	Hamilton and North-Western	Township of Innisfil	20,000 00	
		Town of Collingwood	29,000 00	
		County of Simcoe	300,000 00	
		do Peel	30,000 00	
		Village of Georgetown	10,000 00	
		County of Halton	65,000 00	
		City of Hamilton, bonus	100,000 00	
		do stock	100,000 00	
				654,000 00
8	Port Dover and Lake Huron	County of Perth	40,000 00	
		Town of Stratford	30,000 00	
		do Woodstock	20,000 00	
		Woodstock and East Oxford	25,000 00	
		do North Norwich	30,000 00	
		South Norwich	10,000 00	
		Town of Simcoe	10,000 00	
		Township of Woodhouse	15,000 00	
				200,000 00
9	Toronto and Nipissing	City of Toronto	150,000 00	
		Township of Scarborough	10,000 00	
		do Markham	30,000 00	
		do Uxbridge	50,000 00	
		do Scott	10,000 00	
		do Brock	50,000 00	
		do Eldon	44,000 00	
		do Bexley	15,000 00	
		do Somerville	15,000 00	
		Townships of Laxton, Digby and Longford	12,500 00	
				386,500 00
10	Northern Extension	City of Toronto	100,000 00	
		Town of Barrie	30,000 00	
		do Orillia	12,500 00	
		Townships of Collingwood, Euphrasia and St. Vincent ($120,000 00, less ½ Government subsidy returned to said townships, $20,520 00)	99,480 00	
				241,980 00
11	Canada Southern	County of Elgin	200,000 00	
		Town of Amherstburgh	15,000 00	
		do St. Thomas	25,000 00	
		Township of Anderdon	15,000 00	
		do Dereham	15,000 00	
		do Malden	15,000 00	
		do Townsend	30,000 00	
		do South Norwich	7,500 00	
				322,500 00
12	Midland Railway	Port Hope Harbour Commissioners	30,000 00	
		Township of Thorah, $50,000 00, railway paying instalment on half the bonus, or $25,000 00	50,000 00	
		Orillia Village	12,500 00	
		Township of Mara, for stations in township	12,500 00	
		Townships of Orillia and Matchedash	12,500 00	
		Township of Tay	25,000 00	
				142,500 00

TABLES showing the Amount of Municipal Bonuses contributed to the Railways which have received aid, &c.—*Continued.*

No.	Name of Railway.	Municipalities granting Aid.	Amount of aid granted.	Total per Railway.
			$ cts.	$ cts.
13	Prince Edward County Railway	Prince Edward County (bonus not to be paid until railway is completed)	87,500 00	87,500 00
14	Kingston and Pembroke	City of Kingston	300,000 00	
		County of Frontenac. (Of the sum subscribed by Frontenac, only $60,000 00 is yet paid).	150,000 00	450,000 00
15	Port Whitby and Port Perry	Township of Whitby	15,000 00	
		Town of Whitby	50,000 00	
		Township of Reach	30,000 00	
		do Scugog	2,000 00	97,000 00
16	London, Huron and Bruce	City of London	85,000 00	
		do do	15,000 00	
		Village of Clinton	20,000 00	
		do Exeter	10,000 00	
		do Kincardine	9,000 00	
		do Wingham		
		Township of London	15,000 00	
		do Stephen	17,500 00	
		do Usborne	25,000 00	
		do Hay	15,000 00	
		do Goderich	15,000 00	
		do East Wawanosh	25,000 00	
		do Hullet	25,000 00	
		do Tuckersmith	10,000 00	
		do Turnbury	5,000 00	
		do Morris	10,000 00	
		do Stanley	10,000 00	311,500 00
17	Montreal and City of Ottawa Junction Railway	City of Ottawa	100,000 00	
		Township of Kenyon	40,000 00	
		do Lochiel	40,000 00	180,000 00
18	Cobourg, Peterborough and Marmora	Counties of Northumberland and Durham—No. 4	113,500 00	113,500 00
19	Hamilton and Lake Erie, now a part of the Hamilton and North-Western	City of Hamilton	50,000 00	
		do do right of way valued	50,000 00	
		County of Haldimand	65,000 00	165,000 00
20	Canada Central	Village of Pembroke (payable on completion of road)	75,000 00	75,000 00

(No 44.)

Report of the Council of University College, Toronto. *(Not Printed.)*

RETURN

To an Address of the Legislative Assembly, to His Honor the Lieutenant Governor, praying that His Honor will cause to be laid before the House all correspondence and other documents in the possession of the Government, relating to additional Normal Schools in the Western parts of the Province.

By Command,

S. C. WOOD,
Secretary.

Provincial Secretary's Office,
Toronto, 13th January, 1876.

SCHEDULE OF CORRESPONDENCE AND PAPERS RELATING TO ADDITIONAL NORMAL SCHOOLS IN THE WESTERN PART OF ONTARIO.

1874.

Jan. 3.—Letter from the Chief Superintendent of Education to the Honourable the Attorney-General, setting forth the importance of establishing a Normal School in the City of London.

Feb, 6.—Letter from the Chief Superintendent of Education to the Honourable the Attorney-General, enclosing

Memo: Correspondence between the Bishop of Huron and the Chief Superintendent from the 3rd to the 6th of February, 1874, inclusive.

1875.

Oct. 7.—Letter from the Chief Superintendent of Education to the Provincial Secretary, enclosing

Letter from the Bishop of Huron of Oct. 2nd, 1875, together with—

Memo: Description of buildings and grounds of Hellmuth College.

Dec. 1.—Letter from the Bishop of Huron to the Honourable the Attorney-General.

" 7.—Letter from the Chief Superintendent of Education to the Attorney-General transmitting—

Report of inspection, by Rev. Dr. Davies and Mr. Kirkland, of Hellmuth College.

No. 104 P. DEPARTMENT OF PUBLIC INSTRUCTION FOR ONTARIO.

Education Office, Toronto, 3rd January, 1874.

Sir,—I have the honour to submit to the favourable consideration of the Government the importance of improving an opportunity such as may never occur again, of establishing a Normal School in the City of London.

In [illegible] 1872, the Honourable Alex. Mackenzie, then Treasurer of Ontario, requested me to prepare and submit for the consideration of the Government, a measure which I had brought under the notice of the Government twelve months before, for increasing the facilities for normal school instruction for the training of teachers of the public schools. In a letter dated 19th October, 1872, in reply to the Hon. Mr. Mackenzie, I recommended the establishment of three additional Normal Schools,—one at Ottawa, one at Kingston, and one at London. My recommendations were formally approved by the Government, and my letter containing them was laid before the Legislature. But those recommendations have not yet been carried into effect farther than selecting premises at Ottawa and Kingston, and commencing the erection of a Normal and Model School building at Ottawa.

During a recent visit to a member of my family residing in London, I accepted an invitation to visit some of the public buildings in that city, such as the asylum, the Hellmuth College for young ladies, and the Hellmuth College for boys—both established by the noble exertions of the Bishop of the Diocese of Huron. I was struck with the admirable adaptation of the latter for the purposes of a Normal and Model Schools. The premises consist of a square of ten acres, beautifully situated, recently enclosed, and far within the city as to be convenient for resident children to attend the Model Schools, and for students in the Normal School to obtain suitable boarding houses. In going through the building, I found that it is sufficiently capacious, and appropriately constructed to accommodate at least one hundred and fifty student teachers in the Normal School, and three hundred children in the Model Schools. The building is very imposing and elegant in appearance, substantially built of white brick, completely finished, even to double windows, warmed by steam, and provided with gas, with the usual school furniture, outdoor conveniences, play-sheds, cricket and foot-ball grounds and gymnasium,—all in perfect order.

On inquiry I found that the premises and buildings had cost upwards of $80,000, the land having been purchased when landed property was comparatively depressed in London, and the buildings erected at a much less cost than they could be erected at present.

On further inquiry I found to my surprise and gratification that these fine premises and buildings could be obtained by the Government for the purposes of a Normal and Model schools.

The venerable and enterprising founder of this college feels that it has accomplished the main object for which he expended and laboured so much to establish it—namely, to improve the character and elevate the standard of high school education. That the improved character of high schools and collegiate institutes of the Province, and the increased means of supporting them, supersede the necessity to a great extent of the Hellmuth Collegiate School; that with the care of a large diocese, and the immediate and responsible oversight of the Young Ladies' College, and the Huron Theological College, the Bishop is impressed with the conviction that it is his duty to relieve himself of the additional responsibility and care of the Collegiate Institute for Boys; and more especially if by so doing he can promote the interests of our public system of education in regard to both our high schools and collegiate institutes, and our public schools, by increasing the facilities for providing trained teachers for them. The Bishop would therefore rather see his Collegiate School for Boys succeeded by a Normal and Model Schools for the training of public school teachers, than have it formed into a proprietary school, which has been contemplated, for which all needful encouragement has been proffered, and which, I understand, will take place in a few months, should not the premises and buildings be selected for normal school purposes.

Under these circumstances I feel that I should be negligent of my duty and unfaithful to great public interests, did I not officially inform the Government of this rare opportunity of securing, at the least expense and with the least possible delay, the establishment of an additional Normal School as decided upon more than a year ago.

I have reason to believe that the noble building and premises referred to, with all their furniture and appurtenances, can be procured for the sum of eighty thousand dollars, the interest of which, at the rate of seven per cent, alone is required, the payment of the principal being left to the convenience or pleasure of the Government.

I do not think the expense of the slight alterations required in the buildings and the furnishing of them for the purposes of the Normal and Model Schools, will exceed from three to five thousand dollars—perhaps not more than three thousand dollars.

I may add, that in addition to the reasons heretofore influencing the Government to make further provision for the training of public school teachers, the voluntary Teachers' Institutes which have been held in various counties during the last few months, attended as I learn by nearly THREE THOUSAND TEACHERS, have largely contributed to produce and deepen a wide-spread conviction of the necessity of regularly trained teachers to meet the wants and advance the educational progress of our country. The following extract of a letter from a County Public School Inspector, is a specimen of various letters which I have recently received on the subject.

No. 13685.

"The most noticeable weak point, in the school system of the Province, is the scarcity of trained teachers. Good school-houses may be built, good text-books may be authorized, and the most approved apparatus may be supplied, but all these will be of little avail, unless a better class of teachers than those now employed, be obtained. The most striking defect in the teachers with whom I have to do, is a want of system, both in organizing a school and in teaching a class. A man may become a good carpenter, blacksmith, or watchmaker without learning his trade in the ordinary way, but many a job is botched in the meantime. So a young man or woman, having the necessary scholastic acquirements, may become a good teacher without special training, but much mischief is done to pupils by wrong methods before this is accomplished. The day is approaching, and, I hope not far distant, when legal enactment, backed up by the power of public opinion, shall be such as to compel the great majority of teachers employed in our public schools to fit themselves for the performance of the important duties devolving upon them by special training at a Normal School."

It is also to be observed that the State of Massachusetts, with a less population than that of Ontario, has five times as many normal schools as we have. Other States are likewise far in advance of us in the number of their magnificent normal schools in proportion to their population. They now look upon the establishment of normal schools, as well as of public schools, as a profitable public investment, rather than an expenditure.

I hereto append an illustration and description of the building in question, published in the Journal of Education at the time it was opened in September, 1865. The ground itself is now very valuable, and increasing in value; and the building is so situated that one-half of the ground might be sold at a high price, if need be, without materially detracting from the convenience of the premises, though much from their beauty and attractiveness.

I question whether like premises and buildings could now be provided for much less than twice the sum at which these can now be obtained.

I therefore submit the desirableness of taking immediate steps to secure these premises and buildings for the purposes of a Normal and Model Schools, which may commence there the latter part of the current year.

I have the honour to be, Sir,
Your obedient servant,
(Signed) E. RYERSON.

The Honourable O. Mowat, M. P. P.,
Premier and Attorney-General,
Toronto.

No. 1583, U. 3.

DEPARTMENT OF PUBLIC INSTRUCTION FOR ONTARIO,
EDUCATION OFFICE, Toronto, 6th February, 1874.

SIR,—I have the honour to transmit herewith for your information, certain correspondence which has just taken place between Dr. Hellmuth, Bishop of Huron, and myself.

I have the honour to be, Sir,
Your obedient servant,
(Signed) E. RYERSON.

The Honourable O. Mowat, M. P. P.,
Premier and Attorney-General,
Toronto.

No. 1396, T 3.

EDUCATION OFFICE, 3rd February, 1874.

MY LORD BISHOP,—In relation to the premises and buildings of the Boys' Collegiate School at London, respecting the disposal of which for Government Normal and Model Schools I have had conversation with you. I will thank you to inform me whether you are willing to rent them to the Government for those purposes at the rate of $5,600 per annum (the interest of $80,000, at 7 per cent.), with the option to the Government of purchasing them at a future period if it shall think proper to do so, the premises to be available for Government purposes by the 1st of July.

I have, &c.,
(Signed) E. RYERSON.

The Right Reverend Dr. Hellmuth,
Lord Bishop of the Diocese of Huron,
London.

LONDON, ONT., 5th February, 1874.

MY DEAR SIR.—In reply to yours of the 3rd instant, I beg to say that I am quite willing to comply with the terms and conditions you name, in order to secure the Hellmuth College buildings and grounds for Government Normal and Model Schools. Trusting soon to hear the decision arrived at on this subject by the Government,

I have, &c.,
(Signed) J. HURON.

The Reverend E. Ryerson, D. D.,
Superintendent of Education, &c., &c.

DEPARTMENT OF PUBLIC INSTRUCTION,
EDUCATION OFFICE, 6th February, 1874.

SIR, I have the honour to transmit for your information, certain correspondence which has just taken place between Dr. Hellmuth, Bishop of Huron, and myself.

I have, &c.
(Signed) E. RYERSON.

The Honourable O. Mowat,
Premier and Attorney-General, Toronto.

DEPARTMENT OF PUBLIC INSTRUCTION FOR ONTARIO,
EDUCATION OFFICE, Toronto, 7th October, 1875.

SIR,—I have the honour to transmit herewith for the information and favourable consideration of the Government, certain correspondence which has taken place between the Bishop of Huron and myself, relative to procuring the commodious building and beautiful premises of ten acres, in the heart of the City of London, for the purposes of a Western Normal School. The opening of the Normal School in Ottawa does not in the least relieve the pressure upon the Normal School at Toronto, the applications for admissions to which are largely beyond our power to accommodate, and the applications being largely from the Western section of the Province.

I have no doubt that the opening of an additional Normal School in the Western section of the Province would add very greatly to the number of teachers in training—now the most pressing want of our public schools.

I presume there can be no two opinions, or hesitation as to the proper seat of the Western Normal School being the City of London, it being the centre and focus of inland com-

munication of the peninsula, living being cheaper than in Toronto, and accommodations convenient and ample for both masters and students, and the population large enough to secure a sufficient attendance at the Model Schools, without interfering with the Public Schools, but giving an upward tone to them as in Toronto.

Besides, the buildings erected for school purposes have more adequate accommodation for students than that at Toronto, and as large accommodations for the Model Schools (not to mention residences for the Principal and certain other officers), with every provision for warming, &c., ready for use. And all this at less than three-fourths of the expense already incurred in the Normal School building and premises at Ottawa.

I append copies of the correspondence which took place between the Bishop of Huron and myself on this subject in February, 1874, and which I transmitted to the Premier. It will be seen that the bishop was willing to part with the magnificent buildings and premises for $80,000—less than the cost; or to rent them for the interest of that money, leaving the future purchase of them to the option of the Government. In his letter of 2nd instant, it will be seen that he leaves the valuation, as well as time and mode of payment, at the option of the Government.

For years past I have felt that procuring the buildings and premises in question would be a great boon to the country.

In conversing with the Bishop of Huron, he has expressed himself a warm friend of our whole system of public instruction, and that the great improvement in the character and efficiency of the High Schools—especially of the Collegiate Institutes—is more and more superseding the necessity of his Collegiate Institute, and rendering needless his care and responsibility in its management, and that he would best consult the interests of public education upon the whole by identifying himself entirely with it, and allowing the buildings in question to be used for that purpose.

After what transpired at the opening of the Normal School at Ottawa, I have felt it my duty to obtain every information to facilitate the policy of the Government to provide for the training of public school teachers in Ontario, to an extent somewhat proportionate to that which has been provided in the neighbouring States by our American neighbours.

I have the honour to be, Sir,

Your obedient servant,

E. Ryerson.

The Honourable S. C. Wood, M. P. P.,
Provincial Secretary,
Toronto.

Norwood House, London, Ont., Oct. 2nd, 1875.

Rev. and Dear Sir,—In reference to the subject of your favour of the 24th ult., (No. 13,648,) as to the availableness of the "Hellmuth College," at London, for establishing a Normal School in the Western part of the Province, and on what you corresponded with me last year, I beg now to express my readiness to place the College buildings and premises at the service of the Government in whatsoever way will best serve to accomplish a result of so much importance to the cause of education generally in the Province, as well as especially benefiting that Western portion with whose moral and intellectual improvement I am so much identified.

You are good enough to mention in your letter that my College buildings and grounds "are admirably adapted to the purposes of both a Normal and Model Schools," and that this may be more readily understood, I herewith enclose a full description.

If the Government yet entertains any doubt as to presently adopting your recommendation for establishing another Normal School to meet the pressing wants felt in this Western section, and placing it in London, what you observed from its central position and population is the proper place, I am prepared to offer some encouragement to their now coming to a decision upon the matter.

Assuming that the value of the buildings and grounds can be arrived at by valuation or by agreement, I will be prepared to lease the property for five, seven or ten years, at a

rental based upon the interest of such value, with the option of the Government, at the expiry of such period, to purchase or yield up the property.

The Province might in this way, without any expenditure of capital, satisfy itself as to the necessity of this Normal School and the propriety of its continuance, as experience might justify.

I may refer to the special advantage which might be obtained from the buildings affording room for the residence of the Principal and instructors, and also for the students, to the number of at least one hundred and fifty, within the buildings. And it is needless to point out to one so experienced as yourself how much this would assist in the thorough training and discipline of the students, as well as their being economically lodged and maintained.

The premises, as you know, also afford all proper facilities and appliances for the necessary adjunct of a Model School.

I must ask you, in view of other arrangements, to obtain for me an early reply of the decision of the Government herein.

Quite apart, however, from any personal interest, I agree with you in thinking that the time has come for supplying more facilities for the training of teachers. The want of trained teachers is very much felt in our western community, and I will cordially co-operate with you in any effort which may tend to supply this pressing want.

I might add, from my extensive knowledge of the people in this our populous and prosperous section of Ontario, that any action of the Government in this respect would be appreciated, not only as necessary, but a wise and judicious proceeding for the general interest of the country intrusted to their care.

I am, Revd. Dear Sir,
Your obedient servant,
J. Huron.

The Revd. the Chief Superintendent of Education, &c.

Hellmuth College, London, Ont.—Description of Buildings and Grounds.

Grounds and Outbuildings.

The College property consists of ten acres, well fenced in, the greater portion being laid down in grass for playing grounds. In front of the buildings the grounds are laid out in gravel carriage drive and foot walks and grass plots; in the rear of the buildings is an extensive gravelled yard.

The outbuildings consist of—

1. A large covered skating rink.
2. Stable and coach-house.
3. Racket court, covered with gallery.
4. Various carpenters' shops, offices and store-rooms.
5. Large gymnasium, with double bowling-alley, covered.
6. Private offices.

Main Building.

White brick, south front about 100 feet by 50 feet, main entrance in centre, with porch and wide staircase, hall; east and west wings with bay windows; east wing about 75 feet, west wing about 100 feet.

The whole building contains basement and four stories.

Heights of rooms:—Basement	10	feet.
Ground floor	12	"
First and second floors, each	11	"
Attics	9	"

East Wing

Forms the residence of the Head Master, and contains handsome drawing and dining rooms, study, 7 bed-rooms, bath room, 7 cupboard rooms, 2 kitchens, offices, &c.

Ground Floor of College Building

Contains 5 large class-rooms, fitted with desks, blackboards, &c., and capable of being thrown open into one large room about 80 feet by 25 feet.

Small reception room, off the entrance hall.
Secretary's office, fitted up.
Boys' library and reading-room, 17 feet 3 inches by 19 feet, with bay windows.
Chapel room capable of seating about 200 boys.
Scientific room, furnished with apparatus, water laid on, &c.

First, Second and Attic Floors

Contain sleeping apartments to a capacity of 150, besides spare space for sanatorium, music room, master's sitting and bedrooms, &c.; water is laid on on the first and second floors. A room on the attic floor is fitted up as a surgery, and on the same floor is the water tank.

Basement

Contains laundry and drying-room, supplied with steam.
Eight bath-rooms.
Lavatory and closets.
Boot and shoe room.
Housekeeper's and servants' sleeping rooms.
Servants' dining hall.
Pantry and storeroom, refrigerator, &c.
Large kitchen.

The Dining Hall

Is about 70 feet long by 50 feet wide. It has a separate entrance from the grounds, and no buildings over it. By substituting a pointed open roof for the present temporary flat roof, it might be converted into a handsome school or lecture room.

The Engine House

Contains two boilers and an engine, which is used to saw the wood and to pump water daily into the tank at the top of the building, and sleeping room for the engineer.

The entire building is heated by steam, supplied throughout with double windows, and lit with gas, and is in a state of thorough repair.

On the grounds within the College enclosure is a most convenient brick cottage residence, the property of the College, which is at present rented.

Toronto, December 2nd, 1875.

My Dear Attorney-General,—Having to leave this morning for London, I very much regret that I shall be deprived of the pleasure of a personal interview with you on my correspondence with your Government on the subject of the "Hellmuth College" for a Normal School. So deeply am I impressed with the importance of urgent necessity of efficient, trained teachers in the Western section of this Province, that I am willing to do all in my power to aid the Government in carrying out, without delay, the recommendation of the Chief Superintendent of Education.

I am ready to place the Hellmuth College property, from the 1st of January next, at the disposal of the Government for one, two or even five years, free of all expense; it will leave it optional with them, after the lapse of that period, to purchase the property

at their own valuation, or return same to me. I am the more prompted to do this because I feel the deepest interest, as I have given sufficient proof, to advance the educational interests of our rapidly increasing population in Western Ontario.

Trusting that I may be favoured with an early reply,

Believe me,
Yours faithfully,
J. HURON.

The Honourable
O. Mowat,
Attorney-General.

DEPARTMENT OF PUBLIC INSTRUCTION FOR ONTARIO.
No. 17427. B4. EDUCATION OFFICE, Toronto, 7th Dec. 1875.

SIR,—As you have desired a special report by competent persons respecting the state and suitableness of the buildings and premises of Hellmuth College at London for a Normal and Model School, I requested the Reverend Dr. Davies, Principal, and Mr. Kirkland, Science Master of the Toronto Normal School, to proceed to London to examine the buildings and premises of Hellmuth College and report the result.

I have the honour to enclose their report. The buildings seem to have been pretty roughly used by the boys since I visited them two years ago. One thing in the report is pointed out which entirely escaped my own notice. I thought the premises were surrounded by four streets, like our Normal School premises at Toronto; whereas it appears there is but one street opened on one side of the premises.

During the last two years we have enlarged our own Model Schools, and that suggests larger Model School accommodation at London. I think the judgment of Dr. Davies and Mr. Kirkland, after special inspection and with their experience and practical knowledge, is much more to be relied upon than any opinion I could offer.

I think that whatever you do as to these premises you should take steps without delay to establish another Normal School in the Western part of the Province.

I have the honour to be, Sir,
Your obedient servant,
(Signed) E. RYERSON.

The Honourable
O. Mowat, M.P.P.,
Premier and Attorney-General,
Toronto.

NORMAL SCHOOL, TORONTO, December 6th, 1875.

REVEREND SIR.—We have the honour to report that, in compliance with your request, we went to London on Saturday, and inspected the Hellmuth College.

We were favourably impressed with the position of the building, and consider that it would be an eligible spot for a Normal School, were the means of access such that the students, male and female, would not have to come and go by the same road; *i. e.*, provided it be intended that there shall be no intercommunication between them. We apprehend that there would be great difficulty in carrying out such an intention, because there is but one main street leading to the building.

After a thorough examination of the premises, we have come to the conclusion that with a considerable outlay of money, and under the direction of a skilful architect, the rooms of the College on the first and second flats might be so altered as to furnish a sufficiency of room for Normal School purposes, if the number of students in any one class were limited (strictly) to 45 or 50, but there would be these drawbacks:—the ceilings would be too low (11 feet on ground floor and 10 feet on second), and the ventilation would be very imperfect, though possibly the latter might be remedied, but not the former.

The room at present used as a dining hall, might be changed into a Convocation Hall for the assembling of the Normal School students, and the Model School pupils, as in our Theatre.

The wing facing Wellington Street might be utilized for Model School purposes, if more accommodation were given by adding a story or two to the Dining Hall extension.

In our opinion an extra wing would have to be erected for the Boys' Model School, so that the two sexes might be kept separate.

The erection of a mansard roof would render the attic available for the purpose of a *Dormitory* if Government should think it advisable to have the lady students board and lodge in the establishment, a practice not unusual in American normal schools. In this way the basement and laundry might be utilized. The adoption of this plan would obviate much of the objection advanced in our first paragraph. The lady students would be under the care of a matron; they would thus be more comfortable than they would be in private boarding houses, and would be less exposed to the danger of infringing the rules.

The gymnasium, the skating rink and the play-ground could all be made available, though not so well as if the building were situated nearer the centre of the plot.

In our first paragraph we said the position was, with the single drawback referred to, admirable for a Normal School; we feel a little doubtful as to its eligibility for a Model School.

We fear that its distance from the centre of school population would render the maintenance of a Model School, with a sufficient number of pupils, a matter of extreme difficulty. If such school had but three divisions—we have four—each division should have at least 70 pupils, at any rate not fewer than 60, thus the Model School would require 420; or at the lowest calculation, 360 pupils. A Model School is intended not only as a school of practice, but also as a means for instructing the teachers in training, in the organization, classification, and management of classes.

While submitting the above as our opinion respecting the eligibility of Hellmuth College as the site of the Western Normal School, we cannot refrain from expressing at the same time our conviction, that, after all the outlay that would be necessary, the buildings would scarcely be up to the standard requirements of architecture, nor would the arrangement of the various rooms of the Model School serve as a "Model" for the erection of other schools, as far as the internal economy is concerned.

We have the honour to be, Reverend Sir,

Your obedient servants,

(Signed) W. H. Davies,
Principal, Normal School.

(Signed) Thomas Kirkland,
Science Master, N. S.

The Rev. E. Ryerson, D D.
Education Office, Toronto.

(No 47.)

opies of the evidence, and all Reports made by the Commissioners appointed by the Government to enquire into the matters between the Township of McGillivray and Biddulph, and the Counties of Huron and Bruce, in regard to Municipal Loan Fund indebtedness; except such as have been already brought down. *(Not Printed.)*

RETURN

To an Order of the House that the Clerk of the House do lay before the House Copies of the Judgments delivered by the Judges selected for the trial of Election Petitions, in pursuance of the Controverted Elections Act of 1871, in the cases decided by them, and the Judgments in appeal.

CHARLES T. GILLMOR,
Clerk Legislative Assembly.

LEGISLATIVE ASSEMBLY,
TORONTO, 20th January, 1876.

LIST OF JUDGMENTS.

1. North Riding of Middlesex.
2. South Riding of Essex.
3. North Riding of Ontario.
4. do do do
5. do do do
6. South Riding of Ontario.
7. County of Halton.
8. do do
9. North Riding of Wentworth.
10. do do do
11. County of Muskoka.
12. Toronto West.
13. County of Peel.
14. East Riding of Peterborough.
15. West do do
16. North Riding of Victoria.
17. County of Cardwell.
18. County of Lincoln.
19. North Riding of Grey.
20. South do do
21. East Riding of Northumberland.
22. West Riding of Wellington.
23. County of Monck.

LEGISLATIVE ASSEMBLY,
Toronto, 27th December, 1875.

SIR,—I have the honour to transmit to you a copy of an Order of the Legislative Assembly, made on the 22nd inst., as follows :

"*Ordered*, That the Clerk of the House be directed to lay before the House copies of the judgments delivered by the Judges selected for the trial of election petitions, in pursuance of the Controverted Elections Act of 1871, in the cases decided by them, and the judgments in appeal ; "

And to request that you will enable me to comply with the Order, by causing me to be furnished with copies of the judgments delivered by you in the several cases named below :

The County of Peel,
The County of Halton,
The South Riding of the County of Oxford,
The East Riding of the County of Peterborough,
The North Riding of the County of Wentworth,
The North Riding of the County of Victoria,
The West Riding of the County of Peterborough,
The West Riding of Toronto, and
The County of Cardwell.

I have the honour to be, Sir,
Your obedient servant,
CHARLES T. GILLMOR,
Clerk L. A.

The Honourable
Chief Justice Draper.

TORONTO, January 7th, 1876.

SIR,—I have the honour herewith to enclose you copies of the judgments delivered by me in the following election cases—namely, West Toronto, Halton, Peel, North Wentworth, East Peterborough, West Peterborough, North Victoria and Cardwell.

With reference to the trial of the South Oxford petition, which also took place before me, I have to state that the respondent having agreed to the election being set aside I was called upon to deliver no judgment, and have, therefore, no copy to forward.

I have the honour to be, Sir,
Your obedient servant,
WM. H. DRAPER, *C.J.*

To the Clerk of the Legislative Assembly of Ontario,
Toronto.

LEGISLATIVE ASSEMBLY,
Toronto, 27th December, 1875.

SIR,—I have the honour to transmit to you a copy of an Order of the Legislative Assembly, made on the 22nd inst., as follows :—

"*Ordered*, That the Clerk of the House be directed to lay before the House copies of the judgments delivered by the Judges selected for the trial of Election Petitions, in pursuance of the Controverted Elections Act of 1871, in the cases decided by them, and the judgments in appeal ;"

And to request that you will enable me to comply with the Order, by causing me to be furnished with copies of the Judgments delivered by you in the several cases named below :

The County of Russell,
The Town of Cornwall,
The County of Dundas,
The South Riding of the County of Essex,
The West Riding of the County of Elgin,
The West Riding of the County of Hastings,
The City of London, and
The North Riding of the County of Middlesex.

I have the honour to be, Sir,
Your obedient servant,
CHARLES T. GILLMOR,
Clerk L. A.

The Honourable the Chancellor of Ontario.

OSGOODE HALL, January, 1876.

SIR,—I had the honour to receive yours of the 27th ultimo, communicating to me an Order of the Legislative Assembly, directing you to lay before the House copies of the judgments delivered by the Judges selected for the trial of election petitions and the judgments in appeal.

The trials enumerated in your letter were had before me, viz., County of Russell, Town of Cornwall, County of Dundas, South Riding of Essex, West Riding of Elgin, West Riding of Hastings, City of London and North Riding of Middlesex. In one of them (the South Riding of Essex), I gave a written judgment upon one point only; and in another, the case of the North Riding of Middlesex, I gave a written judgment in the case; in all the other cases judgment was given orally, and I was thus enabled to explain at length, in the presence of those assembled to hear the trials, the grounds of my decision upon the several questions of law and of fact which had been raised before me.

I send you enclosed a copy of my judgment in the North Middlesex case, and upon the point which I reserved in the South Essex case. With the exception of that point, I gave judgment in the case orally, at the conclusion of the argument of counsel.

There are no judgments in appeal in the cases heard before me, there having been no appeal in any of them.

I have the honour to be, Sir,
Your obedient servant,
J. G. SPRAGGE.

To C. T. Gillmor, Esq.,
Clerk Legislative Assembly,
Toronto.

LEGISLATIVE ASSEMBLY,
Toronto, 27th December, 1875.

SIR,—I have the honour to transmit to you a copy of an Order of the Legislative Assembly made on the 22nd inst., as follows:—

"*Ordered*, That the Clerk of the House be directed to lay before the House copies of the judgments delivered by the Judges selected for the trial of election petitions, in pursuance of the Controverted Elections Act of 1871, in the cases decided by them, and the judgments in appeal;"

And to request that you will enable me to comply with the Order, by causing me to be furnished with copies of the judgments delivered by you in the several cases named below:—

The North Riding of the County of Ontario,
Toronto East,
The East Riding of the County of Simcoe, and
The West Riding of the County of Simcoe.

I have the honour to be, Sir,
Your obedient servant,
CHARLES T. GILLMOR,
Clerk L. A.

The Honourable Mr. Justice Wilson.

TORONTO, 4th January, 1876.

DEAR SIR,—In the East Toronto and East and West Simcoe election cases, no formal judgment was given by Mr. Justice Wilson, as the petitions were withdrawn. A copy of the Judge's notes has been furnished in these cases. In the North and South Ontario and in the Muskoka cases, decided by Mr. Wilson, but appealed, copies of judgments will be furnished by Mr. Grant, Registrar of the Court of Appeal.

I remain,
Obediently yours,
J. W. HECTOR,
Reg. to Mr. Justice Wilson.

C. T. Gillmor, Esq.,
Clerk of the House.

TORONTO, 8th January, 1876.

DEAR SIR,—I herewith send you copies of the Judge's notes, and the judgments in the following cases:—North Ontario, South Ontario and Muskoka, tried by Mr. Justice Wilson. Judgments in appeal will be forwarded by Mr. Grant, Registrar of that Court.

Obediently yours,
J. W. HECTOR,
Reg. to Mr. Justice Wilson.

C. T. Gillmor, Esq., Toronto.

LEGISLATIVE ASSEMBLY,
Toronto, 27th December, 1875.

SIR,—I have the honour to transmit to you a copy of an Order of the Legislative Assembly made on the 22nd inst., as follows:—

"*Ordered*, That the Clerk of the House be directed to lay before the House copies of the judgments delivered by the Judges selected for the trial of election petitions, in pursuance of the Controverted Elections Act of 1871, in the cases decided by them, and the judgments in appeal;"

And to request that you will enable me to comply with the Order by causing me to be furnished with copies of the judgments delivered by you in the several cases named below:—

The County of Lincoln.
The County of Monck.
The West Riding of the County of Wellington.
The North Riding of the County of Grey.
The South Riding of the County of Grey, and
The East Riding of the County of Northumberland.

I have the honour to be, Sir,
Your obedient servant,
CHARLES T. GILLMOR,
Clerk L. A.

The Honourable Mr. Justice Gwynne.

TORONTO, December 30th, 1875.

MY DEAR SIR,—In reply to yours of the 27th instant, requesting me to furnish copies of the judgments delivered by me in certain election trials, I beg to say that it is out of my power to comply with your request. My judgments when delivered were handed to my Registrar, Mr. C. C. Robinson, for the use of the parties and of the reporter of the Court, who has, I believe, printed some of them in whole or in part. Two cases were appealed, and were, no doubt, printed with my judgments in full, namely, North Grey and Lincoln. I have transmitted your letter to my Registrar.

Believe me to be,
Yours, &c.,
JOHN W. GWYNNE.

Charles T. Gillmor, Esq.,
Clerk L. A.

LEGISLATIVE ASSEMBLY,
Toronto, December 27th, 1875.

SIR,—I have the honour to transmit to you a copy of an Order of the Legislative Assembly, made on the 22nd inst., as follows:—

"*Ordered*, That the Clerk of the House be directed to lay before the House copies of

the judgments delivered by the Judges selected for the trial of election petitions, in pursuance of the Controverted Elections Act of 1871, in the cases decided by them, and the judgments in appeal;"

And to request that you will enable me to comply with the Order, by causing me to be furnished with copies of the judgments delivered by the Judges of the Court of Error and Appeal in the several cases mentioned below:—

The County of Halton,
The North Riding of the County of Wentworth,
The North Riding of the County of Ontario, and
The North Riding of the County of Grey.

I have the honour to be, Sir,
Your obedient servant,
CHARLES T. GILLMOR,
Clerk L. A.

Alexander Grant, Esq.,
Clerk of the Court of Error and Appeal.

TORONTO, 8th January, 1876.

DEAR SIR,—Herewith I send you copies (printed) of judgments in North Wentworth and Halton election cases in appeal; also a copy (manuscript) of that in North Ontario case, which probably will be sufficient for the purpose you have in view. In the North Grey case the facts were identical nearly with those in the North Wentworth case, and, therefore, no separate judgment was given.

If there is anything further requisite let me know, and I will endeavour to furnish what is required.

Yours very truly,
A. GRANT.

Charles T. Gillmor, Esq.

YORKVILLE, 30th December, 1875.

SIR,—I have to acknowledge the receipt of your letter dated the 27th inst., which reached me this afternoon, and which contains a copy of an Order of the Honourable the Legislative Assembly of this Province, directing you to lay before the House copies of the judgments delivered by the Judges selected for the trial of election petitions, in pursuance of the Controverted Elections Act of 1871.

In reply to your request that I will enable you to comply with the Order, by causing you to be furnished with copies of the judgments delivered by me in nine specified cases I have to inform you:

1. That I did not try the election petition for the East Riding of the County of Northumberland.

2. That in each of the other cases I made the return of my determination, appending thereto a copy of my notes of the evidence, in compliance with the sixteenth section of the Statute of Ontario, 34 Victoria, ch. 3.

3. In the North Wentworth Election I delivered judgment *viva voce*, and have only notes, made afterwards, of what I had stated at large in disposing of the matter.

4. With regard to the others, I have, with one exception, my notes of the judgments delivered. Some are rather long, and it will occupy some time to make copies. I have no clerk or officer on whom I have the right to impose the duty of copying them, and whoever does the work will properly expect remuneration. If the Honourable the Speaker or you will authorize me to employ a proper person on behalf of the Legislative Assembly to make the copies, I will put the work in hand directly. The exception

alluded to is the West Toronto case. I think the judgment was probably left by me with the Registrar in order that it might be communicated to the newspapers, but I will immediately inquire.

I have the honor to be, Sir,
Your obedient servant,
W. H. DRAPER,
C. J. of the Court of Appeal.

Charles T. Gillmor, Esq.,
Clerk to the Legislative Assembly, Toronto.

TORONTO, 31st December, 1875.

SIR,—I have the honour to acknowledge the receipt of your letter of the 30th inst., and beg to say that if you will be good enough to have your judgments copied out I will have the expenses paid, on being informed by you of the amount.

I have the honour to be, Sir,
Your obedient servant,
CHARLES T. GILLMOR, *Clerk.*

The Honourable Chief Justice Draper.

WELLAND ELECTION PETITION.

Buchner *v.* Currie.

(Before GWYNNE, J.)

36 Vict. c. 2, s. 3—Agency—Appointment of sub-agents.

Welland, May 17, 1875.

In this case the respondent forwarded some books containing names of voters to one J. H., to put "into good hands to be selected by him for canvassing." Among others, J. H. gave one of the books to B., who was found guilty of corrupt practices, under 32 Vict. c. 21, s. 66.

GWYNNE, J., held, that J. H. was an agent of the respondent, specially authorised to appoint sub-agents, and that under such authority he appointed B. a sub-agent, and that the respondent was responsible for the corrupt practices of B., under the provisions of 36 Vict. c. 2, s. 3.

HALTON ELECTION PETITION.

Harris, *Petitioner*, v. Barber, *Respondent.*

(Before RICHARDS, C. J. of Ontario ; STRONG, J., BURTON, J., and PATERSON, J.)

Promise of a "nice present"—Bribery—Valuable consideration—Questions of fact in Appellate Courts.

The respondent said to the wife of a voter that if she would do what she could to prevent her husband from voting, he would give her a "nice present."

Held, That this was a promise of a *valuable consideration* within the meaning of 32 Vict. cap. 21, sec. 67.

Appellate Courts will not, except under special circumstances, interfere with the finding of judges of court of first instance as to questions of fact depending on the veracity of witnesses and the credit to be given to them.

September 20, 1875.

The case was heard at Milton, on May 12th and 13th, before the learned Chief Justice of the Court of Error and Appeal.

It appeared in evidence that the respondent and one McCraney called at the house of Nathan Robins to solicit his vote. There were present at the time Mr. and Mrs. Robins and their son.

The effect of Mrs. Robins' evidence was that respondent said to her if she would keep her husband at home from going to vote for Beaty, he would do something for her and give her a nice present. Mrs. Robins said she would do what she could. Respondent put his hand on her shoulder and said, "Do what you can and keep your husband from the election, and I will make you a nice present." Nathan Robins said, "Mr. Barber asked my missus whether she would try to get me not to go to the election, or to get me to vote for him, and he would do something for her."

The son, Nathan Henry Robins, said, "I heard Mr. Barber say if she would keep father at home or get him to vote for him (Barber), that he would do something nice for her, or make her a nice present, or get her something nice, I am not sure which; there was something nice about it, any way."

The respondent, in his examination, denied that he had offered Mrs. Robins anything. McCraney said he was present at the time of this conversation, but that he had heard nothing of any promise being made to Mrs. Robins.

Draper, C. J., E. & A., in giving judgment, considered that, in addition to these statements on oath, all the circumstances led conclusively to the opinion that the story told by Mr. and Mrs. Robins and their son, and in which they all agreed, was substantially true, notwithstanding the denial by the respondent, and he gave judgment in favour of the petitioner: the effect being to disqualify the respondent.

From this decision the respondent appealed to the Court of Error and Appeal, when *Blake*, Q.C. (Attorney-General for Dominion), and *Bethune* appeared for appellant; *James Beaty*, Q.C., for petitioner.

Richards, C. J.—We do not think we can properly interfere with the decision of the learned Chief Justice as to the facts found by him, the general rule being that the finding of the Judge who hears the witnesses when there is conflicting evidence, and the decision turns on the credibility of the witnesses, should prevail. He sees the witnesses, hears their testimony, observes the way in which they answer questions, and is in a much better position to decide on conflicting evidence than those who merely read the statements of the witnesses as they have been taken down. We are all of opinion that we ought not to interfere with the finding of the learned Chief Justice as to the matters of fact.

It was not urged before the learned Chief Justice that if he came to the conclusion that the respondent had offered to make Mrs. Robins a nice present if she would keep her husband from voting against him, that this was not bribery within the meaning of the statute of this Province, 32 Vict. cap. 21, sec. 67.

The question is raised before this court for the first time; and it is contended that there must be something named as the present to be given, or it will not be a promise or offer of a *valuable consideration* (within the meaning of the Act) to Mrs. Robins to induce her husband to vote or refrain from voting at the election.

It is not in terms an offer of money. Does it imply that something *of value* is to be given if the promise or offer is carried out? and if so, is that not what is meant by a promise of money or a valuable consideration? Not a promise of something which has no appreciable value, such, for instance, as to make a lady one of the patronesses of some exhibition, where no one was to receive any pecuniary benefit; but all were to pay money; or

buying a ticket to admit a person to grounds on which a pic-nic was being held, where each person attending paid for or furnished his own lunch; or to make an elector a member of an election committee, where he would receive no emolument, and would probably be compelled to labour, and might be subject to loss.

When this offer was made was it a mere pretence? Are we to presume the respondent wished Mrs. Robins to understand, as she appears to have understood, that she was to receive a present of some value, when he intended to give her something of no value or no appreciable value? This would be presuming a certain kind of fraud on his part, and in his favour to relieve him from what would be the consequence of his act, which I do not think that judges or courts usually do.

One of the earlier statutes on the subject of bribery, 7 & 8 Wm. 3. cap. 4, provided that no person to be elected to serve in Parliament "shall directly or indirectly make any promise to give any money, meat, drink, provision, *present*, *reward*, or entertainment to and for any person having a voice in the election, or for the use, advantage, benefit, employment, profit or preferment of any such person in order to be elected to serve in Parliament."

Our own Con. Stat. Canada, 22 Vict., cap. 6, sec. 82, provided that no candidate should directly or indirectly employ any means of corruption by giving any sum of money, office, place, *gratuity*, *reward*, or any bond, bill or note, or conveyance of land, *or any promise* of the same; nor shall he threaten any elector with losing any office, &c., with intent to corrupt or bribe any elector to vote for such candidate, *or to keep back* any elector from voting; nor shall he support or open any house of public entertainment for the accommodation of the electors. And if any representative returned to Parliament is proven guilty of using any of the above means to procure his election, his election shall be declared void, and he shall be incapable of being a candidate or being elected during that Parliament.

The above provisions were repealed, and the Legislature of Canada passed the statute 23 Vict. cap 17. The first three sub-sections of section 1 of that Act define bribery in the same way as it is defined by the Imp. Stat. 17 & 18 Vict. cap. 102, and by sub-sections 1, 2 & 3 of sec. 67 of the Stat. of Ontario, 32 Vict. cap. 21. These provisions were in force when *Cooper* v. *Slade*, 27 L. T. Rep., O. S. 137, was decided in England, and I suppose are still in force there.

The words of Baron Alderson, after giving the judgment in *Cooper* v. *Slade*, as reported in 27 L. T. Rep., O. S., at p. 139, are: "I entertain this opinion also, whether the rest of the Court agree in it or not, that the words 'money or other valuable consideration' ought to be expounded, money or other valuable consideration estimable."

In construing this statute we must consider what was the intention of the Legislature; and there is no doubt the primary object was that votes should be given from the conviction in the mind of the voter and those who supported a candidate that he was the best person for the situation, and that the public interests would be best served by electing him. The evil to be corrected was the supporting a candidate, not because he was the proper person, but for "*causa lucri*." The supporting of the candidate because of personal benefit to himself; the exercise of the franchise not for the public good, but for personal gain in money or money's worth to the voter or the person inducing the elector to vote or not to vote, was what the Legislature wished to guard against.

Then what was the motive presented to the mind of Mrs. Robins, in the case under consideration, to induce her husband not to vote against respondent? It was that she was to receive some substantial advantage from it, either in money or property—something of value. She was to have a *nice present*. The evidence showed she considered it would be something of value—not of mere fanciful or imaginary value, but of real value that would be *appreciable*. What occurred would well justify her in supposing that the respondent intended to give her something of value, and that he intended to give her, in the language of the statute, a valuable (not a fanciful) consideration for inducing her husband not to vote; and she, entertaining that belief, tried to induce her husband to abstain from voting.

So that in fact the evil which the Legislature intended to prevent actually existed in this case. This woman was *corrupted* by the offer, and she endeavoured to exercise an influence over her husband from the desire to get the *present* which had been promised her.

I understand when a corrupt promise has not been carried out, that the election judges in England, to use the language of Mr. Justice Willes in the *Lichfield case*, 1 O'M. & H. 27, "require as good *evidence* of that promise illegally made, as would be required if the promise were a legal one, to sustain an action by (Barlow) the person to whom the promise was made, against the respondent, upon Barlow voting for him, for not procuring or trying to procure him a place in the hospital."

But I do not understand that the promise must be one for which, were it not prohibited by the Corrupt Practices Act, an action would lie for the breach of it. The *evidence* of the promise requires to be satisfactory, and as far as we are concerned, that question has already been disposed of.

My brother Patterson has given me a note of some cases not referred to on the argument; the older ones show that as a matter of pleading it was necessary to show *what* was offered, and in that view would seem to go a long way in sustaining the view pressed upon us by the respondent, but the modern cases, under this very statute, are, I think, the other way.

I quote at some length the language of the learned judge who tried the Launceston Election Petition, in which Col. Deakin was respondent. In that case, as reported in 30 L. T. N. S., at p. 832, Mellor, J., said: In relation to the privilege granted by Col. Deakin to his tenants to shoot rabbits on the farms leased by them, "I cannot help thinking that it was to those tenants a valuable consideration, and *that the effect on the minds of these tenants* was that they had acquired by that concession a *valuable consideration*, capable of being represented by some money value." Of course I cannot estimate what money value, nor is it necessary that I should do so; it is only necessary that I should arrive at the conclusion that it was money or *money's worth*, and that the respondent considered that he was parting with something which was or might be in his hands a source of great enjoyment or pleasure, or otherwise, which he gives up to a tenant, and thereby destroys the effect of the reservation under which the tenant was formerly holding. I cannot help thinking, therefore, that it was a concession which had an appreciable value. * * I must see that in construing the Act of Parliament intended to put down all corrupt practices and influences at an election, I am not narrowing by any construction of mine the effect of it, but am giving all proper effect to it * * * * The conclusion at which I have arrived is, that the giving of this concession to the tenants, under the circumstances, was either a promise or a grant; *it was not a legal grant*, because that would require something more than a parol expression; *but when we are dealing with an election question, we must deal with the motives which are apparent*, and which appear from the Act itself. I cannot go into any intention of Col. Deakin. I must be governed by what he said, and by the inferences I ought to draw from *what he did and what he said*; and *by the inferences drawn* by those persons who were present, and who heard *what he did and what he said.*"

Here it will be observed, that even had it not been for the Corrupt Practices Act, Col. Deakin could not have been by law compelled to make a legal grant of the right of killing the rabbits, and could not have been sued for any more than the promise made in this case; but nevertheless the promise was considered as equally corrupt. Other expressions, I think, warrant the conclusion that the apparent motives of the party, and the inference from the act itself, should influence our decision.

My brother Patterson has also drawn my attention to the case of *Simpson* v. *Pound*, 4 L. R. Q. B., at p. 628. That was an action to recover a penalty for bribery, and it was virtually decided under the Imp. Stat. 17 and 18 Vict., cap 102. sec. 2, sub-sec. 1, as I have already mentioned, similar to the section of the Provincial statute under which we are called on to decide the case before us. The promise to the voter was, "I said he would be *remunerated* for his loss of time." The learned Judge who gave the judgment, Mr. Justice Mellor, said: "We delayed giving our judgment at the close of the argument, not because of any doubt existing in our minds as to the answer which we ought to return to the question put by the judge of the county court, but because we were assured by the Counsel for the defendant that the election judges had in their decisions upon the section taken a view differing from that which we were disposed to take. Had the fact been as suggested, we should not have felt ourselves bound by the opinion of the election judges, unless upon consideration we had agreed with it, but we thought it desirable to ascertain what

opinion had in fact been expressed by them with reference to a subject with which their duties had necessarily made them familiar. Upon inquiry, we find, as we anticipated, that those learned judges have expressed no opinion adverse to the conclusion at which we have arrived. Their observations upon this section, so far as it refers to an *offer* or *promise not accepted*, merely expressed a rule of prudence and caution as to the quantity and character of the evidence by which such an offer or promise should be considered as proved. * * *

We cannot doubt the words used, "that the voter would be remunerated for what loss of time might occur," did, under the circumstances, amount to an offer or promise to procure, or to endeavour to procure, "money or valuable consideration to a voter," in order to induce him to vote at the election in question. The expression "remuneration for loss of time" would necessarily convey to the apprehension of the voter that if he would vote for a particular candidate he should receive, either directly from the person offering, or by his procurement, *money* or valuable consideration which he would not otherwise obtain: and any assurance of that kind, which can *only* be so understood, is calculated to operate upon the mind of the elector as a direct inducement to vote for such candidate.

After referring to *Cooper* v. *Slade*, 6 H. L. C. 746, the learned Judge proceeds: "It is so important to the public interest that electors should be left free to vote without any disturbing influence of any kind, that we feel ourselves bound, in construing the statute in question, to give full effect to the plain meaning of the words used, and to apply them to the substantial facts of the case, *without raising subtle distinctions or refinements as to the precise words or expressions in which the promise or offer may be conveyed.*

Here we have no doubt that the words used did substantially convey to the mind of Mrs. Robins that if she used her influence, as the respondent wished her to, she would, in the language just quoted, receive money or valuable consideration which she would not otherwise obtain, and this was calculated to operate on her mind as a direct inducement to do that which respondent wished her to do.

Our duty, then, is to give effect to this statute, though the consequences of our judgment to the respondent will be so very serious. We are not at liberty to fritter away by subtle distinctions an Act of Parliament. The same learned Judge whose language I have quoted above, Mr. Justice Mellor, in one of our recent cases decided last year, *the Bolton case*, reported in 31 L. T. N. S., at p. 196, uses the following language on this subject: "I take it to be the duty of a judge to take care that he does not fritter away the meaning of Acts of Parliament by any subtle construction, but to give a bold but at the same time cautious decision, which shall further rather than defeat the object of any Act of Parliament of this character which he has to construe."

We are all of opinion that the judgment of the learned Chief Justice should be affirmed: that the clerk of this Court should certify to the clerk of the Legislative Assembly that the said respondent was not duly elected; that the said respondent was proved to have been guilty of a corrupt practice at such election, and that such corrupt practice was by promising to Christina Robins, the wife of Nathan Robins, if she would keep her husband from voting for Mr. Beaty at the said election, he would give her a nice present.

There is no reason to believe that corrupt practices prevailed extensively at said election.

We direct the respondent to pay the costs of the trial, of the petition, and of this appeal.

STRONG, J.—The question of fact argued on this appeal must, I am of opinion, be held to be concluded by the determination of the learned Judge who tried the petition. It depended altogether on the credit to be given to witnesses who were examined before the Judge in open court; and there was, therefore, afforded to him opportunities of observing the demeanour of the witnesses, and of forming a judgment as to their truthfulness, which this Court does not possess. It is a principle well established in the procedure of appellate tribunals, including the highest court of the empire—the House of Lords—that questions of fact depending on the veracity of witnesses, and the credit to be given to them, are concluded by the finding of the Judge of the court of first instance, in whose presence the testimony is given.

This rule was acted on in this court in the case of *Sanderson* v. *Burdett*, 18 Gr. 417; and in addition to that case and the authorities there referred to, I may mention the cases of *Penn* v. *Bibby*, L. R. 2 Ch. App. 127; and *Bull* v. *Ray*, 28 L. T. Rep., 346 (per Sel-

borne, C.), and I would also refer to the judgment of Coleridge, J., in the case of *R.* v. *Bertrand*, L. R. 1 P. C. 535, who speaks of written as compared with oral evidence, as "the dead body of evidence without its spirit; which is supplied when given openly and orally by the eye and ear of those who receive it."

Taking the promise to be proved, as found by the Chief Justice, the case of *Simpson* v. *Lord*, L. R. 4 Q. B. 626, discovered by the research of my brother Patterson, clearly shows that we must hold it to have been a promise or offer of "valuable consideration" within section 67, sub-section 1 of 32 Vict. cap. 21, a conclusion to which, for reasons which I do not think it necessary to give at length, as they have been already stated in the judgment of the Chief Justice, I should have come, even if we had not had the satisfaction of knowing that our view was supported by the high authority of the English Court of Queen's Bench.

In my judgment the appeal must be dismissed with costs, and the certificate should be as already indicated by the Chief Justice.

BURTON, J.—I fully concur in the judgments which have just been pronounced. The only difficulty I have felt is as to whether the words alleged to have been used come within the 67th section; but when one regards the mischief which the Legislature intended to deal with, and the words of our own Interpretation Act, which declares that every Act shall receive such fair, large and liberal interpretation as will best ensure the attainment of the object of the Act according to its true intent, meaning and spirit, it is impossible, I think, to come to any other conclusion than that this promise comes within it. To hold otherwise would open the door to every kind of ingenious evasion of the Act.

The Legislature has endeavoured to put down an evil which prevailed to an alarming extent throughout the Province, and to meet every possible case of bribery or other corrupt practices; and we are bound, I think, to give full effect to the meaning of the language they have employed, without, as expressed in one of the cases, raising subtle distinctions or refinements as to the precise words or expressions in which the offer or promise may be conveyed. A "nice present" must have been understood by both parties as something of value, and would convey to the mind of the party to whom it was made, that if the elector would vote for the candidate he would receive something, and could only be so understood.

I agree, therefore, that the appeal should be dismissed.

PATERSON, J.—The finding of his lordship the Chief Justice of this court, that the respondent promised Christina Robins a nice present if she would procure her husband to vote for the respondent or to refrain from voting, is clearly supported by the evidence. After hearing the witnesses, and seeing their demeanour, and testing the value of their evidence by a consideration of the circumstances which tended to give probability to the statement on the one side, as against the opposing evidence of the respondent, his lordship arrives at the conclusion that the charge is proved.

We are, it is true, to sit in appeal from decisions upon questions of fact as well as upon questions of law; but this does not necessarily mean that we are to criticise the opinion formed of the witnesses by the judge who sees and hears them. In many cases the finding of a fact depends not so much upon the credit to be attached to one statement as against another, or to the credit to be accorded to individual witnesses, as upon the proper deduction from facts which are not seriously disputed. On questions depending on such considerations, appellate courts frequently reverse the finding of courts below. Even where there is conflicting evidence, and where much may depend on the credit given to particular witnesses, the appellate court may, by the report of the judge who hears the witnesses, be enabled to review his finding; as noticed by Lord O'Hagan in the case of *Symington* v. *Symington*, L. R. 2 Sc. App. 424, where he says: "On the first question we have been fairly pressed by the argument, that the Lord Ordinary, who had the advantage of seeing the witnesses and judging of their veracity from their demeanour before himself, should not have his decision lightly set aside; and undoubtedly the value of *viva voce* testimony can be much better ascertained by those who hear it than by those who know it only by report. But there is this peculiarity in the present case, that the Lord Ordinary has put us somewhat in his own position, and enabled us, so to speak, to see with his own eyes, when he states the impression produced upon him by the principal witness, and describes her as 'a girl of modest appearance, who gave her testimony generally with an

air of truthfulness,' and he speaks favourably of her aunt, another witness, whose part in the transactions is of great importance. Besides, we are concerned directly, not with the judgment of the Lord Ordinary, but with that which overruled it, and the latter we ought to affirm, unless we are satisfied of its error. In the present case I can see no ground for arriving at a conclusion different from that of his lordship the Chief Justice, who gives credit to the Robins family after carefully balancing the reasons for preferring their account of the transaction.

I have, however, had strong doubts whether the promise to make a "*nice present*" was an offer of "money or valuable consideration" within the meaning of section 67 of the statute. This point was taken by Mr. Blake in his argument before us, though not taken before the Chief Justice at the trial, and we were referred to a dictum of Alderson, B., in *Cooper* v. *Slade*, which is noted in the report of that case in 27 L. T. 139, and 2 Jur. N. S. 1016, though not in the report in 6 E. & B. 447. The report in the Jurist is, "Alderson, B., added: I entertain this opinion also, that the words 'money or other valuable consideration' ought to be construed to mean 'money or other valuable consideration to be estimated by money.'"

I have not seen any case in which any Judge or court has actually decided that any offer or promise which came in question, was not an offer of money or valuable consideration, except the decision in the Exchequer Chamber, in *Cooper* v. *Slade*, where it was held that giving money to a voter to pay his railway fare in going to vote was not giving money to induce him to vote. That decision was, however, reversed in the House of Lords, 6 H. L. Cas. 746. In the *Launceston case*, 2 O'M. & H. 129, 30 L. J. N. S. 823, Mr. Justice Mellor held, that an offer by a landlord to his tenants of the privilege of shooting rabbits on their farms was bribery, because it was a valuable consideration, capable of being represented by some money value. If the question had been merely whether an offer of a nice present was an offer of something having some money value, I should not have hesitated much as to the correct decision; because I think there can be no doubt that such an offer would convey to the mind of the person to whom it was addressed, that something which was either money or money's worth was to be given. My doubt has been not as to *some value* being implied, but as to whether the words "valuable consideration," which are technical words, should not, in construing the statute, receive the same construction as they would receive with reference to contracts.

The present statute takes the place of one in which the words were apparently of a more general character, viz., Con. Stat. Can. c. 6, s. 82, where the words used were "sum of money, offices, place, employment, *gratuity, reward*, or any bond, bill or note, or conveyance of land." Having regard to this change in phraseology, as well as to the fact that the words "valuable consideration" have a recognised meaning in law, it seemed to me that we ought to construe the clause as requiring such a consideration as would ordinarily support a promise; and that the offer now in question was too indefinite in its character to fulfil that condition.

The adequacy of the consideration for which a promise is made, is usually not a material inquiry, because parties may agree for what consideration they please; but where there is no agreement—where there is merely an unaccepted offer, and the adequacy is not, therefore, settled by consent—it would seem that a consideration which is entirely indefinite is not one which can be called a "valuable consideration," as we are accustomed to use the term. Thus a promise to forbear "*for a little time*," or for "*some time*," is too indefinite to constitute a good consideration for a guaranty (Ch. Cont. 29, citing 1 Roll. Abr. 23. pl. 25), which doctrine is approved by Bramwell, B., in giving the judgment of himself and Watson, B., in *Oldershaw* v. *King*, 2 H. & N. 399, and in the same case in the Exchequer Chamber by Cockburn, C. J., at p. 519 of the same volume, and it does not seem to be disputed by any of the Judges who gave judgment in that case; and in *Davy* v. *Baker*, 4 Burr. 2471, a declaration in debt on 2 Geo. II. c. 24, which alleged in the words of the statute that the defendant did receive "a gift or reward," was held bad in arrest of judgment, for not specifying what particular species of reward was given. This case is cited by Patterson, J., in *Baker* v. *Rusk*, 15 Q. B. 870, as establishing the position that the declaration must state the means by which the voter was corrupted.

The rule of construction stated in *Lord Huntingtower* v. *Gardiner*, 1 B. & C. 297, viz., that "it is not for us to say what might be politically desirable, but what is the provision

of the Legislature, and that in order to answer that question we must resort to established rules for construing acts of this nature," seemed to me to make it proper to treat the section as I have indicated ; and I do not say that that view is incorrect. But the judgmen of the English Court of Queen's Bench, in *Simpson* v. *Feend*, L. R. 4 Q. B. 626, is so very much in point upon the construction of the English statute, with which ours corresponds, as in my opinion to govern the present case. The promise in that case was that the voter would be remunerated for any loss of time in going to vote, and there was no acceptance of the offer on the part of the voter. It was argued that the promise must be of something tangible, and that there was no promise which, if accepted, would, putting aside the illegality, have supported an action. The judgment of the Court was given by Mellor, J., who said, " We cannot doubt that the words admitted to have been used by the defendant, viz., 'that the voter would be remunerated for what loss of time might occur,' did, under the circumstances, amount to an 'offer or promise' to procure, or endeavour to procure, money or valuable consideration to a voter in order to induce him to vote (at the election in question). The expression 'remuneration for loss of time' would necessarily convey to the apprehension of the voter, that if he would vote for a particular candidate he should receive, either directly from the person offering, or by his procurement, money or valuable consideration which he would not otherwise obtain ; and any assurance of that kind, which can *only* be so understood, is calculated to operate on the mind of the elector as a direct inducement to vote for such candidate. If any authority were required to induce us to adopt this view of the transaction in the present case, it is supplied by that of *Cooper* v. *Slade*, 6 H. L. Cas. 746, which upon this point is not distinguishable in principle from the present case. It is so important to the public interest that electors should be left free to vote without any disturbing influence of any kind, that we feel ourselves bound, in construing the statute in question, to give full effect to the plain meaning of the words used, and to apply them to the substantial facts of the case, without raising subtle distinctions or refinements as to the precise words or expressions in which the promise or offer may be conveyed.

I agree that the judgment should be affirmed.

Appeal dismissed with costs.

NORTH WENTWORTH ELECTION PETITION.

THOMAS STOCK, *Appellant*, v. ROBERT CHRISTIE *(Petitioner)*, *Respondent*.

(Before HAGARTY, C.J. C.P., STRONG, J., BURTON, J., and PATERSON, J.)

Treating during polling hours—32 *Vict., cap.* 21, *sec.* 66—36 *Vict. cap.* 2, *sec.* 1.

The decision of the learned Chief Justice of the Court of Error and Appeal, reported at page 196 ante, was confirmed on appeal.

September 16, 25, 1875.

This was an appeal from the decision of the learned Chief Justice of the Court of Error and Appeal, finding the present appellant (the candidate) guilty of a corrupt practice. The petition was tried at Hamilton on 19th May last, and is reported ante, p. 196, where the facts are fully stated.

J. H. Cameron, Q.C., *R. A. Harrison*, Q.C., and *Robertson*, Q.C., for the appellant.

James Bethune for the petitioner.

HAGARTY, C.J. C.P.—The facts, as detailed by testimony friendly to the appellant, are very clear. Davidson's tavern was open for the sale of liquor during polling hours, although the form of closing the bar was observed. This was in direct violation of the statute. Several persons are assembled there. The appellant drives up, declares that he

cannot and will not treat, and that some one must treat him. His supporter, Sullivan, accordingly does so, appellant takes a glass of beer, and two or three others join in Sullivan's treat.

It is forcibly argued for the appellant that these facts do not show a corrupt practice committed "by or with the actual knowledge and consent of the candidate." First, it is urged that the violation of 32 Vict., cap. 21, sec. 66, can only mean an incurring of the penalty of $100 thereunder, and that the appellant cannot come within its provisions; (1st) in the strictest construction of it, that it only applies to the innkeeper; and (2nd) on the wider construction, that he was not either the seller or the giver of the liquor. Again, that sec. 3 of the Ontario Act of 1873 is divided into two sub-sections which must be read together, and that the corrupt practice brought home to the candidate's knowledge and consent in sub-sec. 2, must be read as only the corrupt practice mentioned in the preceding sub-sec. 1, "Committed by any candidate at an election, or by his agent." That the facts before us may show a corrupt practice in the innkeeper, but that the latter was not the appellant's agent, or that even if a corrupt practice in Sullivan in giving the liquor, the latter was not appellant's agent.

It is pointed out that section 46 of the Act of 1871, for which the existing enactment has been substituted, provides that when any corrupt practice has been committed by or with the knowledge and consent of any candidate, his election, if elected, shall be void, and he shall be disqualified, &c. And an argument is founded on the effect of the two sub-sections substituted for this 46th section.

The legal construction of the existing clauses urged by the appellant seems to have commended itself to the well-considered judgment of my brother Gwynne in a very recent case (*Lincoln Election Petition*).

I feel very great difficulty in bringing my mind to the same conclusion.

We have not much authority to guide us. It seems to me that we must simply try to satisfy ourselves as to the meaning of the words used by the Legislature. We have to ask ourselves what was considered the wrong to be remedied. Next, the remedy to be applied. The wrong was very plain—the keeping open of public-houses and selling and giving away of liquor on polling days.

For the decision of this case we are not necessarily to decide some of the extreme cases suggested in argument, such as the drinking of a glass of beer at the private table of any person (not an innkeeper) at which an ordinary guest might be present and partake of such drink as the common beverage used by the family—the meal and the presence of the guest being wholly unconnected with any election or canvassing object. I am quite prepared to express an opinion on this whenever it may be necessary to do so.

To confine the section wholly to the innkeeper would prevent its reaching the case of a private person who might on the polling day broach casks of ale or spirits for the public use of all comers. It might perhaps not be easy to bring such conduct within the grasp of the law as bribery, or to connect the person with a candidate as an agent, or perhaps even as an avowed supporter of any candidate, and yet the mischief caused by such conduct might be enormous.

It is to be remarked that this clause appears in a statute that makes no provision against treating, except in the one case as to meetings called to promote the election.

We must always, in my judgment, try to construe a statute in the light of common sense, and always give full credit to the Legislature to have used words (not being words of art or of technical significance) in their ordinary meaning, as they would be naturally understood by those whose conduct they are intended to regulate.

There is a celebrated passage as to the construction of statutes in Plowden, 204: "The judges of the law in all times past have so far pursued the intent of the makers of statutes that they have expounded Acts which were general in words to be but particular where the intent was particular. * * * The sages of the law heretofore have construed statutes quite contrary to the letter in some appearance, and those statutes which comprehend all things in the letter, they have expounded to extend but to some things; and those which generally prohibit all people from doing such an act, they have interpreted to permit some people to do it; and those which include every person in the letter they have adjudged to reach to some persons only; which expositions have always

been founded upon the intent of the Legislature, which they have collected sometimes by considering the cause and necessity of making the Act, sometimes by comparing one part of the Act with another, and sometimes by foreign circumstances. So that they have ever been guided by the intent of the Legislature, which they have always taken according to the necessity of the matter, and according to that which is consonant to reason and good discretion."

Sir George Turner, L. J., cites this passage in *Hawkins* v. *Gathercole*, 6 De Gex, M. & G. 21, saying, "I have selected these passages as containing the best summary with which I am acquainted of the law upon this subject. * * * We have to consider not merely the words of the Act, but the intent of the Legislature to be collected from the cause and necessity of the Act being made, from a comparison of its several parts, and from foreign (meaning extraneous) circumstances, so far as they can justly be considered to throw light upon the subject."

Knight Bruce, L. J. (p. 19), speaks of the propriety of reading the Act "with a due degree of attention to the nature of the subjects certainly embraced by it, to the state of our institutions and jurisprudence when the Act was passed, to the judicial constructions that other statutes have by approved decisions received, and to the universally recognized canons by which the interpretation of laws is regulated."

The case is approvingly noticed in *Cope* v. *Doherty*, 2 De Gex & Jones 614, before the Lord Justices in 1858.

In the recent *South Essex Case*, 11 C. L. J., N. S. 247, the learned Chancellor held that "the partaking by Alfred Wigle, whom I find to be an agent for the respondent, of a treat given by J. McQueen during polling hours in Lovelace's tavern, was a corrupt act within the statute which would avoid the election."

Here the candidate himself partakes of a treat under the same circumstances, instead of his agent. If the *South Essex Case* were rightly decided (on which I express no opinion) it would seem to be impossible to uphold either this election or the non-disqualification of the candidate. If it is a corrupt act sufficient to avoid the election by the agent accepting the treat, it must be equally so in the principal, with the fatal addition of knowledge and consent. I think the present case raises a much more formidable question than that before the learned Chancellor.

It is pressed upon us that the evidence shows a direct participation by the candidate in what the Legislature has pointedly declared to be a corrupt practice—that if it be a corrupt practice in Davidson to keep his tavern open and to sell liquor during polling hours, and the candidate knowingly goes thereto and drinks thereat, it is impossible to say he is not a consenting party to a corrupt practice.

A case was suggested in the argument. We will suppose Davidson closing his tavern according to law, and refusing to give or sell drink to any one. The candidate appears and tells him not to act foolishly, but that it would be better to let people have drink who might desire it. Thereupon the tavern is opened and the candidate accepts a treat from a friend. It was suggested that in such a case the candidate would be responsible, because he would thereby make the tavern-keeper his agent. I do not see that any question of agency would arise. The tavern-keeper acts on the suggestion or the reasoning of the candidate, but he does not thereby become his agent in any sense intelligible to me. If the candidate had in like manner suggested to all the other innkeepers in the constituency to do the same thing, I still do not think he would thereby make them his agents, but it would be most difficult to still hold that therefore the corrupt practice which is undoubtedly committed by them would not be so committed with his knowledge and consent.

In short, the only escape that I can see for the appellant from the stringent provisions of the Act, must be our adoption of the argument that the corrupt practice committed with his knowledge and consent can only mean a corrupt practice actually committed by himself or by his agent.

I do not see what right we have thus to narrow the very clear words of sub-sec. 2. I do not consider that we in any way infringe on the rule as to the strict construction of statutes creating penalties and disqualifications. If we adopt the appellant's construction, I very much fear that we should be defeating the clear intent of the Legislature, as evidenced by the plain language used.

The sale of the liquors at the tavern during polling hours is declared to be a corrupt practice. The tavern keeper—the offender against the law—is not shown to be the candidate's agent. The latter is shown to have known of the law being broken, but nothing is proved to indicate his approval or consent thereto. But the moment we find him drinking at the offending tavern—perfectly well aware that it ought to have been closed instead of being open—then it is beyond my comprehension how I can place such a construction on the words as to hold that the corrupt practice was not committed with his knowledge and full privity and consent.

It was urged on us that the Legislature could not have intended to inflict such a penalty as eight years' disqualification for Parliamentary honours or municipal offices, or offices in the gift of the Crown, for this slight breach of the law. We have considered the case in this aspect with most painful attention.

When a most severe punishment is made applicable to a case like the present—the acceptance of a glass of beer from a friend at a house illegally kept open—as to a case of the most flagitious and unprincipled bribery, the argument can never be unexpected that the Legislature could not have so intended the law to be. It is a cardinal principle in every good law that it should commend itself to the approval of all well-disposed citizens. It is quite possible that at the passing of this enactment—honestly designed to remedy great evils—the applicability of its severest penalties to a case like the present may not have been directly anticipated.

I agree in the conclusion of the learned Chief Justice, that the appellant acted at least in forgetfulness of the law.

It is for the Legislature to deal with these cases. We can only strive to interpret their meaning by the ordinary rules of construction.

STRONG, J., concurred with the judgment delivered by the learned Chief Justice of the Common Pleas.

BURTON, J.—I see no way of avoiding the conclusion at which the learned Chief Justice and my brother Strong have arrived. One not unnaturally feels a repugnance to give a decision, the result of which is to inflict, for so slight an infraction of the law, so harsh a penalty upon a candidate, who, upon the evidence, appears to have been anxious to conduct the election fairly and in accordance with law. The Legislature probably never contemplated the occurrence of such a case as the present, and it is not unreasonable to assume that, had their attention been drawn to it, they would not have visited such an infraction of the provisions of the statute with the same penalties as are aimed at the more grave and disreputable offences of bribery, intimidation, and corrupt practices of that nature. We have, however, to interpret, not to make the laws; and with every anxiety to relieve the appellant from the penal consequences which the decision of the learned Chief Justice of this Court has exposed him to, I can come to no other conclusion than that that decision is a correct one.

We may assume, for the purpose of the present decision, that the only person who is liable to the pecuniary penalty affixed to an infraction of the 66th section is the hotel, tavern or shop keeper who, in violation of that section, sells or gives to any person spirituous or fermented liquors or drinks within the limits of the municipality during the day appointed for polling. Previously to the Act of 1873 that was the only penalty provided; but that Act in addition makes any violation of it during the hours appointed for polling a "corrupt practice."

Assuming still that the only person who can be said to be acting in violation of the 66th section is the hotel or shop-keeper, and that he alone is guilty of the corrupt practice, by selling or giving liquor during polling hours, I do not see how it is possible to avoid the conclusion that this act, which is, without reference to the intent or motive, declared to be a corrupt act, having been committed with the actual knowledge and consent of the appellant, not only avoids the election, but in addition subjects him to the penalty of disqualification for the period named in the statute.

It was very ingeniously argued that the 1st and 2nd sub-sections of section 3 must be read together; that the 1st sub-section declares that the election should be avoided *for a corrupt practice committed by the candidate himself or his agent;* and that the 2nd sub-section imposes, *in addition* to the avoidances so declared by the 1st sub-section, disqualification when the corrupt act which so avoids the election is done by or with the knowledge

and consent of the candidate; but the argument is to my mind more ingenious than sound.

Under the 46th section of the Act of 1871, any corrupt practice committed by the candidate, or with his knowledge and consent, avoids the election, and disqualifies the candidate; but no provision is thereby made with reference to corrupt practices by agents without the candidate's knowledge; but the repealing Act of 1873, as I read it, in the 1st sub-section avoids the election for any corrupt practices either by the candidate *or his agent*, whether such act of the agent was committed with or without his knowledge.

And then the 2nd section declares that if *any* corrupt practice is not *such* corrupt practice as under the 1st sub-section would avoid the election, but any corrupt practice has been committed by (the candidate) or with the knowledge and consent of the candidate—then, in addition to the avoiding of the election (if he has been elected), he shall be subject to the disqualification mentioned in that sub-section.

To give effect to the contention of the appellant, we should have to read the sub-section as if the words "the candidate" were inserted after "by," and the words "his agent" after "or," so as to read, "any corrupt practice has been committed by the candidate or his agent with the knowledge and consent of the candidate." But why should we be called upon to take any such liberty with the plain language of the section, apart from the disqualification. There is much good sense in the Legislature declaring that a tavern-keeper shall keep his bar closed, and shall be subject to a penalty for not doing so, and that a candidate who encourages him to break the law shall thereby avoid his election.

There are many other corrupt practices, besides the violation of the 66th section, which would not, unless committed by an agent, avoid the election; and yet it is manifest that if they were done with the knowledge and consent of the candidate, they would—and rightly so—have that effect, and would also have the effect of disqualifying him.

Besides, the 2nd sub-section is not confined to the candidate *who has been elected*, but applies equally to the defeated candidate, who, if found to have been an assenting party to this or any practice declared by the statute to be corrupt, is rendered ineligible to be elected, and to the other disqualifications mentioned in the statute.

The corrupt practice in this case was admittedly committed by Davidson, and was so committed with the actual knowledge and consent of Mr. Stock, and unless we are to import words into the 2nd sub-section which will entirely alter its plain and natural meaning, it is impossible, in my opinion, to hold that the decision of the learned Chief Justice is erroneous. For my part, I think no other rational conclusion could be arrived at, and that the appeal should be dismissed.

PATERSON, J.—The facts which in my judgment are material to the decision of this case, are not disputed.

There is no doubt that Davidson, a tavern-keeper at Carlyle, violated sec. 66 of the Act of 1868, 32 Vict., cap 21, by selling and giving spirituous and fermented liquors and drinks to persons in his tavern on the polling day. There is no doubt that this was a corrupt practice in Davidson, under the Act of 1873, 36 Vict., cap. 2, sec. 1. There is no doubt that this corrupt practice was committed by Davidson with the actual knowledge and consent of the appellant, who was one of those who received the liquor or drink, whether he invited the others in and treated them, as some witnesses say, or was treated himself along with the others by Sullivan, as it is put by Sullivan, and by the appellant himself.

The question is whether under these facts the appellant's election is avoided, and himself disqualified under sub-sec. 2 of sec. 4 of the Act last referred to.

The contention for the appellant is that sub sec. 2 only applies when the candidate himself, or *his agent* with his knowledge and consent, commits a corrupt practice. It is argued that as sub-sec. 1 makes void the election by reason of any corrupt act committed by a candidate, or committed by his agent, either with or without the knowledge of the candidate, and as sub-sec. 2 does not say in direct words, as was said in sec. 46 of 34 Vict., cap. 3, that a corrupt practice committed by or with the knowledge and consent of the candidate *shall make his election void*, and also disqualify him, but merely says that,

in addition to the election being void, he shall be disqualified—it must be read as saying, that in addition to the election being void—*if under sub-sec.* 1 *it would be void*—the candidate shall be disqualified; and that unless the election is avoided by sub-sec. 1, there is nothing in sub-sec. 2 either to avoid the election or disqualify the candidate. Besides hearing the argument addressed to us in this case, I have had the advantage of reading that part of the very ably argued judgment of Mr. Justice Gwynne, in the case of the Lincoln election, in which he discusses the construction of sub-sec. 2, and takes the same view which has been urged upon us, although I believe he decided the case on grounds which did not depend on his reading of this sub-section. With the greatest respect for the ability and authority of that learned Judge, and fully appreciating the reasoning which he so forcibly employs, I am unable to agree with him in the construction of the statute.

In 1871, the particular offence now in question had not been declared to be a corrupt practice; but sec. 3 of the Act of 1871 defined corrupt practices as including bribery and undue influence, and illegal and prohibited acts in reference to elections, or any of such offences as defined by Act of the Legislature. Under this definition many acts were included which were not necessarily committed by either the candidate or his agent.

Then section 46 of that Act, which declared that where it was found by the Judge that any corrupt practice had been committed by or with the knowledge and consent of any candidate at an election, his election should be void, and he should be disqualified, evidently applied to avoid an election and disqualify the candidate, by reason of the commission by any one, whether his agent or a volunteer, of any corrupt practice with the knowledge and consent of the candidate. What was not provided for by that Act was the avoidance of the election in case the agent, without the knowledge or consent of the candidate, committed a corrupt practice. This omission has been supplied by sub-sec. 1 of sec. 3 of the Act of 1873; and the object of passing this sec. 3 probably was to supply this omission.

Having regard to the course of legislation with respect to purity of elections, which has tended constantly towards greater strictness in the provisions for repressing every act and contrivance by which the perfect freedom and honesty in the exercise of the franchise may be interfered with; and this policy being distinctly apparent in several of the provisions of the Act of 1873, particularly in the extension of the definition of corrupt practices by sec. 1,—there is no reason to suppose that the Legislature intended that any election which would have been avoided under the Act of 1871 should stand good under the Act of 1873; or that while a new ground for avoiding an election was added, viz., when an agent without the candidate's knowledge or consent committed a corrupt practice, it was intended to declare that a corrupt practice committed with the knowledge and consent of the candidate, but by one who was not his agent, should no longer either affect the seat or work any personal disqualification.

It would require language very clearly enacting such a change to have the effect contended for. We must not regard the question as relating only to the selling of liquor at taverns. It extends to bribery, undue influence, and all other prohibited acts which, according to the contention of the appellant, may now be committed or practised by volunteers, with the knowledge and consent of the candidate, without any further risk than the risk of destroying the vote that is influenced, and incurring the pecuniary penalty. If it is answered, that by the candidate's consent the volunteer becomes *ad hoc* an agent, so does the tavern-keeper.

The contention is founded on the assumption that the words in sub-sec. 2, "in addition to his election, if he has been elected, being void," do not carry with them a declaration that the election shall be void, and that there is nothing else in the sub-section which has the effect of avoiding the election.

Let us test this by reading section 3 as applying to a defeated candidate. He will not be touched by sub-sec. 1, as he has not been elected; and when we simply omit from sub-sec. 2 the words which do not concern him, viz., "in addition to his election, if he has been elected, being void," every word that remains is perfectly applicable to him.

There is no doubt of his disqualification by reason of a corrupt practice being done with his knowledge and consent.

If it is still urged that the first sub-section, though not in terms affecting a defeated candidate, must nevertheless be read with the second, or that the second must be read in the light of the first, as if the words were, "by the candidate or *by his agent*, with his knowledge and consent," I answer that instead of importing into sub-section 2 words which cannot be so introduced without doing some violence to the structure of the clause, it will be much more in accordance with the spirit and object of the Act, if any change of reading is to take place, to read the first sub-section by a slight transposition, as if worded thus:—"When it is found * * * that any corrupt practice has been committed at an election by any candidate *who has been elected*, or by his agent, whether with or without the actual knowledge or consent of such candidate, the election of such candidate shall be void," which in no way changes the effect of the sub-section; while, as it seems to me, it removes any pretence for modifying the reading of the second sub-section by any reference to the first, at all events as far as the defeated candidate is concerned

Then, is a defeated candidate to be disqualified on grounds which do not affect a successful candidate? The sub-section cannot be so construed. And if we read the disqualifying clause, we find that the candidate is made incapable not only of "being elected to," but "*of sitting in*, the Legislative Assembly" "during the eight years next after the date of his being so found guilty"—a provision which of itself vacates the seat without the aid of the preceding part of the sub-section:

I do not, however, see any necessity for resorting to any subtlety of construction. The plain words of the section are, in my opinion, easily intelligible as they stand—the natural meaning being that a candidate, if elected, shall lose his seat in case a Judge reports that any corrupt practice has been committed by him or his agent; that if a candidate commits or consents to the commission of any corrupt practice, he shall be subject to the penal disqualifications, which, if he has been elected, include, but are not confined to, the vacation of his seat.

Appeal dismissed with costs.

NORTH ONTARIO.

Burton, J.—This case comes up by way of appeal and cross appeal from the judgment of Mr. Justice Wilson.

On the appeal two questions are raised:

1st. Whether the respondent, through Donald Bruce, his agent, exercised undue influence on one George Wharen, a voter; and

2nd. Whether he was guilty of bribing one Thomas Hope through Charles Marsh, an agent.

The respondent contends that in neither case was agency established, and that, assuming the agency to be established, the act complained of in the first of the two charges was not within the 72nd section of the Election Act of 1868, and the act complained of under the second head was not bribery.

The learned Judge with some hesitation held the agency of Donald Bruce to be established; but I have not deemed it necessary to consider that question, inasmuch as I have been unable to convince myself that what is stated to have occurred is a corrupt practice within the 72nd section.

The evidence tends to show that Wharen was in arrears to the Crown for a lot of land, and it is contended that Bruce endeavoured either to intimidate him or to influence his vote by persuading him that the Government would look sharply after those so circumstanced who did not vote for supporters of the Government.

No doubt it is the intention of the law that voters should exercise their franchise with the utmost freedom, that they should use their own judgments, and that no influence should be brought to bear upon them which would have the effect of interfering with this free exercise of judgment; and if, in a constituency composed largely of debtors to the Crown for Crown lands, an organized and general system had existed, leading the

electors to believe that supporters and opponents of the Government would be differently dealt with, so as to create any ground of apprehension in their minds, I entertain no doubt that the common law would declare such an election to be a void election, without any proof of agency, because it would be carried on contrary to what the principle of the law is; but it is not shown in this case that any such general practice prevailed, and the question here is whether, assuming the agency to be established, the act was one of undue influence in its proper statutory sense of using any violence, or of threatening any damage, or of resorting to any fraudulent contrivance to restrain the liberty of a voter, and so either to compel or frighten him into voting or abstaining from voting otherwise than in accordance with his own free will and judgment.

The Act applies not only to cases when the injury inflicted or threatened is wrongful or violent, but to cases where, although the party has a perfect legal right to do the act (if not done with a view to affecting the vote), the doing it does inflict harm upon the other side; still I apprehend it must be a threat of something which the party or the person he represents would presumably have the power to carry out. If, for instance, the Commissioner of Crown Lands had been the candidate, and his agents had made a representation of the kind ascribed to Bruce, or if such threat had been made by a local agent of the Department, the voter might perhaps not unreasonably assume that such a threat might be acted on.

What occurred in this case was at most a mere *brutum fulmen* if intended as a threat at all; it was one which neither the principal nor the agent had any means of enforcing. It appears that as a matter of fact Wharen was not intimidated, although that might not be material if what is alleged to have occurred amounted to a threat within the statute; but the words, as it seems to me, were at most but an expression of opinion upon a subject on which every one was competent to form his own judgment. Speaking for myself only, I am of opinion that it was not an act of intimidation or undue influence within the 72nd section. But it is unnecessary to decide the question, as we are all agreed that the other charge is fully sustained.

It was contended that as there was an actual legal debt Marsh was merely carrying out what he was bound by law to do, and that his motive could not be inquired into.

I am not aware that there has been any express decision upon the point, but I should say that it is always open to inquire, under statutes of this nature, whether the debt was simply paid in accordance with the legal obligation to pay it, or whether it was in fact paid or secured in order to induce the elector to vote or refrain from voting.

In Cooper and Slade, on the argument in the House of Lords, Lord Brougham put this case: "Suppose a debtor to say to his creditor, 'If you will vote for A, I will pay you what I owe you,' would that be within the statute?" Lord Wensleydale adding: "It being a great advantage to have the debt paid without the trouble to bring an action to recover it."

If it be open to inquire into the motive, as I think it is, it is impossible to say that the learned Judge was not fully justified in holding that the motive which influenced Marsh was that of procuring Hope to vote at the election. Then, was there a gift of any money or valuable consideration in order to induce him so to vote?

The voter had for upwards of five years been endeavouring to procure payment of this debt without success. The learned Judge has come to the conclusion that he did receive valuable consideration, in the shape of Mr. Paxton's promissory note, in place of a claim which his original debtors insisted should be paid by Mr. Paxton, but which he disclaimed all liability for, and which had remained in that unsettled position for nearly six years. We cannot say that the learned Judge was wrong in coming to the conclusion that this note would not have been given unless with the view of inducing Hope to vote; and as we think the evidence of agency was ample to warrant the conclusion of the learned Judge, his decision should be affirmed and this appeal dismissed.

On the cross appeal it is urged that the decision of the learned Judge was erroneous in holding that the respondent was not proved to have been guilty of bribery in the Lippard case, in holding that the bribery of Thomas Hope by the respondent himself was not proved, and that the treating by the respondent's agent, James P. Foley, at a meet-

ing of electors assembled for the purpose of promoting the election of the respondent, had not been proved.

As to the first of these charges, the learned Judge reports the evidence of Lippard as unsatisfactory and unreliable, repugnant in itself and directly contradicted in some respects, and he declined to convict the respondent and subject him to such highly penal consequences as would follow an adverse decision upon such evidence. We see no ground whatever for differing from that view.

Upon the second point, the only evidence to show Paxton's connection with the transaction is that of Marsh, who, after referring to the conversation with Hope, says: "In the fore part of the following week I saw Mr. Paxton, and told him what Hope had said about putting me to costs, and I said I wished he would settle it, to save me being sued. I did not tell him of Hope's remark as to voting; Paxton said he calculated to settle it, and would if he knew the amount. I said it was about $110, and he then gave the note."

I am very far from saying that the case is not one of grave suspicion; but there is no reason that I am aware of why the general maxim should not apply, that in penal statutes questions of doubt are to be construed favourably to the accused; and although it may be said that the party charged here had an opportunity of purging himself by his own oath, if he chose to take the ground that the charge was not proved, and that he was not called upon to disprove it, it was competent for him to do so, subjecting himself to the risk of having his omission to do so commented upon by the opposing counsel. No doubt, the most was made of that omission, and the learned Judge, sitting also as a jury, has come to the conclusion that the evidence was not sufficient to satisfy him that the charge was brought home to him, and he has acquitted him of all knowledge of or participation in it. It would be too much in a quasi criminal case to ask us under these circumstances to reverse his finding.

It is not necessary to offer any opinion upon the Foley case, as the charge if established merely goes to avoid the election, but we may say that the evidence does not satisfy us that he was an agent *at the time* of the alleged treating.

Judgment Delivered by the Honourable William Henry Draper, C.B., Chief Justice of the Court of Error and Appeal, in the West Toronto Election Case.

The only charge in the petition which was entered into at the trial was that the respondent was personally and by his agents, before, during and after the election, guilty of corrupt practices, defined by the Controverted Elections Act of 1871, and the Elections Act of 1873, whereby the said election has become void. Mr. Bethune opened the case very briefly, stating that it was impossible for him to explain what particular facts he expected to prove by the different witnesses he should call. They all, or nearly all, belonged to the opposite party, and it would have been useless to apply to them for information. He could only say that he *hoped* to prove that there were corrupt practices, as defined by the statute, and that they were committed by or under the authority of the respondent or by his agents, for whose acts, in these respects he was answerable; that he fully expected that he should prove that the respondent was put forward as a candidate by the Liberal-Conservative Association, in the City of Toronto, on the understanding that he was to be put to no expense, and that he placed himself in their hands, thereby constituting all its members who took part in the election as his agents, and in support of this assertion he read a part of the respondent's deposition. The trial lasted part of two days, during which fifty-five witnesses were examined. I adjourned rather earlier than I had intended, as there was one witness, whose probable importance to the petitioner had only become apparent by the testimony given during the first day; and I thought it better, understanding that no witnesses would be called for the defence, that the testimony in support of the petition should be completed before Mr. Bethune summed up. At the close of this witness's examination, Mr. Bethune admitted that the charge of bribery was altogether unsustained, and that he must rest the case upon

the allegation of treating. Three cases of treating during the election had been proved Two of them he would not press, as the fact that the parties who gave the liquor were agents of the respondent was not established ; but he contended that the case of Mr. John Macdonell was different. There was no possibility of doubting that he was agent of the respondent. He himself admitted that he received and drank some liquor during the polling hours ; and, as Mr. Bethune contended, the original Ontario Act, 32 Vic., cap. 21, sec. 61, made treating with intent to promote the election of a candidate illegal ; but was altered by omitting the words " with intent to promote the election of a candidate." It showed that the offence no longer consisted in the intent, but in the act. He then argued that the person who drank liquor given him was as much an offender against the 66th sec. of 32 Vic., cap. 21, as he who gave it ; and, therefore, as Mr. Macdonell had accepted and drunk within the limits of the municipality some spirituous or fermented liquor during the time which the poll was open, and was an agent of the respondent, that act was sufficient to avoid the election. The point on which the petitioner's case was finally rested was not raised or brought under my notice until the last witness called to support the petition had been examined. Not one instance of bribery had been—I will not say established ; but there was no evidence given upon which there was even a *prima facie* case of bribery. The evidence also did not connect the sitting member personally with any act which could sustain the charge of corrupt practices, so far as bribery is concerned. But several witnesses were examined to prove either treating or a breach of the 66th section of the 32 Vic., cap. 21, which requires that every hotel, tavern or shop in which spirituous or fermented liquors or drinks are ordinarily sold, shall be closed during the day appointed for polling in the wards of municipalities in which the polls are held, and prohibits selling or giving to any person within the limits of such municipality, during the said period, any spirituous or fermented liquors under a penalty of $100 in every such case. There was evidence which was in my judgment sufficient to prove at least two cases in which this clause of the Act was violated. But in no such case was there any evidence connecting the offenders with the successful candidate or any of his agents ; and for this reason the petitioner's counsel gave them up. There remained one case, however, in which there was no such defect. Mr. John Macdonell was examined, and unequivocally admitted himself to be an agent of the respondent for the purposes of his election. He gave in evidence that he was at No. 1 division, St. Patrick's Ward, during the polling. There was a man at the polling booth on Simcoe Street, upon the street, who had a bottle of liquor, and who seemed to be a little intoxicated. Mr. Macdonell did not know his name, and has not seen him since, nor has he any idea who he is. The day was cold, the man was very pressing, and Mr. Macdonell took some whiskey from him. It was during the hours of polling. It was contended that this avoided the election ; that there was a clear violation of the statute ; that liquor could not be given or sold unless there was a purchaser or a receiver ; and as by the act of receiving the giver was enabled to commit the offence, the receiver became a *particeps criminis*. Reference was made as to the definition of corrupt practices, in the 34 Vic., cap. 3, sec. 3, and to the repeal of that definition by 36 Vic., cap. 2, sec. 1, and the substitution of another definition in lieu thereof, which latter definition makes any violation of the 66th section during the hours of poling a corrupt practice. This change in the law does not, however, affect the question I am called upon to decide. It leaves the point untouched whether the words " No spirituous liquors or fermented liquors or drinks shall be sold or given " make the purchaser or recipient in effect a seller or giver, and as such subject to a penalty of $100 in every such case, for " sell " or " give " are the only words in the Act which can be made applicable. It might have been argued on the part of the respondent with as much show of reason, that the earlier part of the section shows that the Legislature had in view a stringent preventative to the dangers of having taverns and other places where liquors are usually sold kept open during the polling day, by requiring such places to be kept shut, and by forbidding the sale of such liquors. In the 68th section the contracting to vote for money and the receiving of money on account of having voted or refrained from voting, are treated and subjected to a penalty as distinct offences, though in the preceding section the giving or lending money, or agreeing to do so, to influence a voter, is subjected to the same penalty. The Legislature in that instance evidently did not consider that by punishing the lender or giver of money, they had also provided for the punish-

ment of him who borrowed or received. Upon the construction contended for by the petitioner's counsel, in making the 66th section consist of two separate parts, the first relating to the closing of hotels, &c., and the latter of a general character, it appears to me that if any person in his private way give a glass of wine or beer to a friend who happened to call upon him during polling hours, he would himself be subject to the penalty of $100, and his friend would be similarly liable. I have not now to deal with the former of these propositions, but the latter is involved on the present occasion. I cannot adopt a conclusion which appears to me unwarranted by the plain meaning of the words of the Act, nor hold that where the Legislature provides for the punishment of one particular class, which they distinctly define, they intended to include another to which they make no reference unless inferentially; and when by the 67th and 68th clauses of the Act they show that they considered that by providing for the punishment of the giver of a bribe they had not provided for the punishment of the receiver of it. For these reasons I feel compelled to hold that the petition is not proved; that the respondent, Robert Bell, was duly elected and returned; and shall certify accordingly to the Speaker. I shall also report to the Speaker that no corrupt practice has been proved to have been committed at the said election; and that there is no reason to believe that corrupt practices have extensively prevailed at the said election. Costs to follow the event.

JUDGMENT DELIVERED BY THE HONOURABLE WILLIAM HENRY DRAPER, C.B., CHIEF JUSTICE OF THE COURT OF ERROR AND APPEAL, IN THE EAST PETERBOROUGH ELECTION CASE.

It is very satisfactory to me to be able to find that there is no evidence whatever in this case which impugns the personal conduct or character of the respondent. I find not only that he is free from the imputation of any forbidden practice in the course of this election, but that he has endeavoured, by earnest advice and caution, to restrain his friends and supporters from doing anything which could enable his opponents to neutralize the success to which he aspired, and render the election in which he confidently anticipated success being open to question through the indiscretion or recklessness of any of them. Unfortunately, his advice was disregarded; the law forbidding the practice of treating, and the keeping taverns open during the hours of polling, has been wantonly violated, and the principal matter of enquiry is whether any of the leading culprits in these offences are so far identified with the respondent as in point of law to constitute them his agents, and to render him responsible for their illegal acts. There was a meeting of the electors at Apsley about a week before the polling day. It had been publicly advertised. The respondent, the petitioner and Major Boulton all spoke at it. The respondent had engaged a sleigh, and Cavanagh and Major Boulton accompanied him to this meeting. They drove first to Holmes's tavern. After the meeting the respondent and Cavanagh returned to Holmes's. The respondent retired almost directly for the night. A number of those electors who attended the meeting went also to Holmes's. Cavanagh treated the people. Holmes says he told him to give the people liquor, and Cavanagh says he treated many times, and that one Boyd—a supporter of Stratton's, the opposing candidate—did so likewise. This continued, as Cavanagh states, from 10 p. m. to 2 the next morning. The facts are relied upon to show a violation of the 61st section of the Election Law of 1868, by Cavanagh, at the expense of the respondent, or at his own expense, in providing and furnishing drink to a meeting of electors assembled for the purpose of such election. If this be proved, then the question arises was Cavanagh the agent for respondent? For, if he was, then the latter is answerable for his acts and corrupt practices, though, as in this case, he not only did not authorize them, but actually, and in sincerity, endeavoured to prevent them.

Agency does not necessarily require to be proven by an actual appointment, verbal or written, by the candidate. "It is a result of law to be drawn from the facts of the case, and from the acts of the individuals." Every instance in which, with the knowledge of the candidate or his employed agent, say his expense agent, a person acts at all in furthering the election for him, or in trying to get votes for him, tends to prove that the person

so acting was authorized to act as his agent. A repetition of such acts strengthens the conclusion. I found these conclusions upon authorities in the mother country, using to a great extent their very words, but not simply quoting them.

To apply them to this case. Cavanagh, at his own request, which I do not doubt, and for certain personal motives which he asserts, but to which (excepting his gratitude to the doctor for his professional services) I give but slight credit, accompanies the candidate on a journey, which had for one object to attend a public meeting in reference to the election at Apsley, and for another to canvass voters in a particular section of the county. It was intended that Mr. Carnegie, one of the respondent's authorized agents, should have gone with him. He did not go, and Cavanagh's request that he should be taken was complied with, though Mr. Carnegie says he had no desire to take him. Cavanagh says he was acquainted with people on the Burleigh road, and that he did not canvass *the whole* of the Burleigh road. That on this journey he canvassed at some houses, and perhaps canvassed some voters whom they met on the road, and *may* have introduced some voters to respondent The very first witness called in this case was one of them. On their journey, Cavanagh states, the respondent, knowing his habits (if I remember rightly, he used some such an expression as "*He was an awful fellow for treating*"), cautioned him to do nothing which would spoil his election—a caution which strengthens the assumption that the respondent counted on Cavanagh's assistance and exertions. Major Boulton, who also went with the respondent and Cavanagh, heard the former tell Cavanagh not to treat nor do anything to compromise him or avoid the election—a charge which points to the employment of Cavanagh for some work or duty in which his acts would be deemed acts done under the implied authority of the respondent. Again, on the day after this meeting, Mr. John Macdonald, who appeared to me a very respectable witness, saw Cavanagh and the respondent together, and took Cavanagh on one side and asked him whether he had done anything towards enabling parties to get liquor on the election day, and received his assurance that he had not. He also said he knew Cavanagh many years, and had heard of his character as to being free handed in treating, and busy in elections. Then Cavanagh goes to a meeting in Otonabee in a cutter which he hired, but does not know whether he paid for it, or whether it was charged to respondent. The respondent's authorized agent pays for the meals which Cavanagh got, and which Holmes had charged against him in an account dated in February, 1875, but relating to Cavanagh's being at Holmes's on the 13th of January preceding. All these circumstances, taken separately, may, or at least some may, be deemed trifling and unimportant, but combined they acquire weight and substance; and substantiated by parties none of whom are hostile to the respondent, they appear to me to furnish strong evidence of agency. I am alive to the danger, as well as to the apparent hardship, of fixing the respondent with liability for acts done by another as his agent, which other, if the question had been directly put to him, he would not have employed in that character. There was obvious misgiving on respondent's part, and apparently still greater on Carnegie's, but I think they resolved to incur the risk, and, without any formal appointment, the respondent availed himself of his services, and *quoad* the election became responsible for his acts.

Assuming the agency to be established, I go back to inquire into the acts of Cavanagh in treating at Holmes's after this meeting of electors. His own statement may suffice as to this: "I was at the Apsley meeting, and afterwards went to Holmes's tavern. Boyd and I treated alternately, turn about; I treated from about ten at night till two in the morning; can't tell how many times; I paid for each drink as it was taken."

I think this is a breach of the 2nd sec. of 36 Vict. ch. 2, which repeals sec. 61 of the Election Law of 1868. The only question that can arise is whether this drink was furnished to a "meeting of electors assembled for the purpose of promoting such election previous to or during such election." The meeting was certainly not convened at Holmes's tavern, but at a town hall not far from it, and Cavanagh, Boyd, and a number of electors went from that meeting to Holmes's. It is not open to question that the meeting was assembled for the purpose of promoting such election, unless the statute is to receive the narrower construction that a meeting of the supporters of only one candidate is meant, and the promotion of the election means only the promotion of election of that candidate. I do not doubt that such a case would be within the Act, and the evidence on the present trial is by no means conclusive against this being precisely that case. Still I am of

opinion the wider construction is no more than what the Legislature intended. If the meeting consists of electors of differing parties, and it is held with the view of promoting an election, it must necessarily be an election of a representative for the whole constituency, to whatever party he may belong. Unless the larger construction prevail, a general meeting of electors, held only for the purpose of selecting a candidate, would not be within its provisions. and the providing and furnishing drink or other entertainment to the electors present would not be prohibited. I do not agree in such an interpretation. Another difficulty has been suggested, namely, that the treating did not take place in the building wherein the meeting assembled, and that the meeting was in fact over. A similar question arose in the North Wentworth case. I then held that where a meeting had been held for the promotion of an election, and after the transaction of their business they had gone generally together to a neighbouring tavern on the invitation of the candidate on whose behalf the meeting was held, who there furnished or provided drink or other entertainment for them, it was within the statute. I have been given to understand that a similar construction was adopted in another case. I have seen no reason hitherto to change my opinion, and adhering to it I am under the necessity of finding that this was a corrupt practice committed by an agent of the respondent, though without his actual knowledge and consent, and that the election and return are void.

The result is, I find for the petitioner on the first charge relied upon by Mr. Bethune. I give no judgment on the charge of treating by Cavanagh at Smith's tavern at Indian river, as it was not included in the particulars, and I find for the respondent on the other charges enumerated by Mr. Bethune.

Judgment Delivered by the Honourable William Henry Draper, C.B., Chief Justice of the Court of Error and Appeal, in the West Peterborough Election Case.

At the close of the petitioner's case, Mr. Bethune admitted that the agency of Cardinelle and La Plante was proved, and that he could not deny that the evidence established that they, being such agents, had violated the 66th section of 32nd Vict. ch. 21, and consequently that the respondent could not retain the seat. He contended, however, that whatever was done by these agents contrary to law was done contrary to his wishes, and without his knowledge and assent. If the petitioner, however, persisted in the personal charges, he called upon the counsel on the other side to state on which of them he relied.

Hector Cameron, Q.C., stated that he relied on the second particular, charging that respondent offered to one John Drake, a voter, permanent employment during the summer, if he would vote for him.

Also on the third particular, charging that respondent offered to one Cole Barrett employment if he would vote for him.

Also on the fourth particular, charging that respondent offered to one John C. Wood employment during the coming summer if he would use his influence for respondent.

Also on the twelfth particular, charging that respondent offered and agreed to pay the travelling expenses of one Jeremiah Daley, of the Town of Peterborough, from that town to the place where the said Daley was then intending to work, if the said Daley would vote for respondent, and did pay such his expenses.

Also on the thirteenth particular, charging a fraudulent device in procuring from the returning officer a certificate that one Frederick Taylor was entitled to vote in the second ward of the Town of Peterborough, his name appearing on the voters' list, though he had parted with the property in respect of which his name so appeared; and in further pursuance of the said device, in giving to the said Taylor a colourable appointment to act as agent for the respondent, on the polling day, at one of the polling places for the Township of North Monaghan, for the purpose of enabling the said Taylor to vote, without having the voters' oath rendered to him, whereas it was not intended that the said Taylor should, nor did he, act as agent for respondent at the said polling place in North Monaghan.

I need not take up time in discussing the evidence of Drake. His statement is that when the respondent asked him for his support, he replied he had not made up

his mind, and added: "I suppose if I am idle you will give me work," and that respondent said he would give him work for the summer. The conversation was talked of, and four or five weeks afterwards he was applied to to state what he could prove, and he put his mark to a statement drawn up from his answer to this inquiry. He stated on the trial that he hoped, as times were dull, to secure work for the ensuing summer, and that he told his then employer (Mr. Clark), a few minutes after respondent left, that the respondent had asked him for his vote, and had *offered* him work for next summer, which is stronger than his present statement. The respondent swore that when he asked Drake for his vote, that he promised so readily that he doubted if Drake knew him—that Drake did not even ask him "If I'm idle," &c., and that not a word passed between them on the subject of respondent's giving him work. Several witnesses were examined with reference to Drake's character for truthfulness. In answer to their unfavourable statements, a number of persons were called who amply sustained him. But I am quite clear that in the face of the respondent's positive denial, I cannot take Drake's uncorroborated assertion as sufficient to sustain this personal charge.

Barrett's evidence is also relied on to sustain another personal charge. He swore that respondent asked him for his vote, and he replied that he had promised Scott. Respondent said that Scott did not give any work. He heard respondent, at a public meeting at the Town Hall, say he had lots of work on hand, and plenty of money to spend on it, and he would employ workmen as soon as the election was over. His statement of a promise of respondent to give him work in return for the exercise of his influence at the election is positively denied by the respondent. I cannot on such a state of evidence find that this personal charge is proved. I may remark also that I am not disposed to treat what a candidate may say in public, to the assembled electors, before or during an election contest, as furnishing evidence of offers or promises to corrupt individuals. An appeal to his business as being a benefit generally to the community, or to certain classes of it, or to the employment of his capital in a manner promoting the prosperity of the constituency, if honestly and truly made, is no more prohibited by the law than an appeal to distinguished public services would be, when a man is fortunate enough to have them to appeal to. It is against the personal corruption of individuals that the law has been provided, and that law will be the more respected if it be administered in a spirit of wise moderation.

Then comes the charge which rests upon the evidence of John C. Wood, and which may be stated in nearly his own words. Respondent "asked for my vote; I told him I had none. He told me, if you will give me your influence I will give you the painting of what work I am carrying on; you can do a good deal among the English people. I told him I did not think much of his promises." The respondent meets this thus: "I did not say to him that if he would use his influence for me, I would give him work." In commenting on this case the respondent's counsel suggested that what Wood swore to amounted to no more than an endeavour by respondent to get his (Wood's) services to canvass for him, for which he was willing to give him a consideration. It may be that the words are open to such an interpretation. I do not, however, rest upon it; I am not free from doubt whether the word "employment," as used in the statute, refers to the mere indefinite hiring of a mechanic or a labourer. It is connected with the words "office" and "place," and if the maxim *noscitur a sociis* be applied to its construction, it could scarcely include a casual hiring. The present case, however, does not render it necessary to decide that point. There is here an assertion on one side met by a contradiction upon the other. The accuser admitted an unfriendly feeling to the respondent, and his own reputation for veracity was somewhat impeached. I treat this charge as not proven.

Daley's case was given up by the counsel for the petitioner, and Taylor's case is the last to be disposed of.

Frederick Taylor was put upon the roll as an elector, being owner of Lot No. 8, east of Water Street, Town of Peterborough, and in the West Riding. He had sold this property in June, 1874, having removed to Lindsay in October, 1873. He had also a vote in the East Riding. He was asked to vote in that riding, and went to Peterborough on Saturday, 16th January. He was at respondent's house about four hours, but, he says, had no conversation with him at any time respecting his voting. But he talked with Fairbairn, a clerk of respondent's, who insisted his vote was good; and the subject was

discussed in respondent's committee room between Fairbairn, Taylor and Lacy, another clerk of respondent's. Taylor saw the voter's oath in the committee-room. That same night Lacy got from the returning officer a certificate under the 26th section of 38th Victoria, that Taylor was entitled to vote at the election, at the polling place where he was stationed, during the polling day, and Fairbairn handed to Taylor this certificate, together with an appointment in writing, signed by the respondent, authorizing Taylor to act as his agent or scrutineer at the polling place in North Monaghan. Taylor said that he thought these documents were given to him to enable him to vote without taking the voter's oath—it was said it was not likely he would be sworn there. He went to North Monaghan with one Robinson, who was also an agent for respondent at that polling place They arrived at the poll before nine a.m. Taylor tendered his vote as early as he could, and the voter's oath was not tendered to him. He returned to Peterborough without even entering upon the duties of respondent's agent at North Monaghan, and voted in the East Riding.

On the examination of respondent upon a Judge's order, he said, "I signed my appointments of agents in blank, and they were filled in by the Committee." And further, "I understood on the polling day that Taylor went out to North Monaghan and voted there. I may have heard, the Saturday before the polling day, that Taylor was to be sent out there. I think it is likely that I did hear it then. I understood that he was going out there to act as agent, and that he would vote there. I think he came down from Lindsay on the Friday or Saturday. Very likely I understood from himself that he was going out to North Monaghan. He went with Robinson, who was my agent at North Monaghan. I understood that there was a question whether his vote was good or not. I knew that he had sold his property in Peterborough. It is possible that he may have been sent to North Monaghan as my agent, for the purpose of getting his vote in. I was under the impression that he was sent there for that purpose. I didn't suppose he was going to stay there all day to act as my agent." Robert Fairbairn, however, says that he asked Taylor to go out as agent for respondent to North Monaghan; that he really thought Taylor had a vote; and that he asked Taylor in good faith to go as scrutineer, and not from any thought of getting a vote—that he did not know he had sold his property—and that he knew Taylor had no knowledge of the voters in North Monaghan.

It was admitted that there were appeals to the County Judge against the voters' lists in each of the wards of the Town of Peterborough for the year 1874, and that the lists which were used at the polls were the lists of 1874.

Upon the evidence given before me, I find that prior to June, 1874, Taylor owned property which entitled him to vote in the West Riding of Peterborough, and that he parted with it in June, 1874, but that his name was inserted on the roll for that year, and it is not proved that it was taken off on any revision or appeal.

I find that Taylor was doubtful of his right to vote, and whether he could properly take the voter's oath if called upon to do so.

I find that it was agreed that Taylor should be nominated as respondent's agent at the polling place at North Monaghan, in the West Riding of the County of Peterborough, for the day of polling, and that a certificate should be obtained from the returning officer under the 38th Vict. chap. 3, sec. 26, to enable Taylor to vote at the polling station at North Monaghan.

I find that such certificate was obtained from the returning officer by one Lacy, a clerk of respondent's.

I find that the respondent had signed appointments in blank, and placed them at the disposal of his Committee for the election, in order that the blanks should be filled with the names of such persons as should be selected to act as agents at the several polling places.

I find that Robert Fairbairn, who was a clerk of respondent's, got one of such appointments so signed by respondent, in which the name of Taylor was inserted, though it was not proved by whom.

I find that Fairbairn delivered the said certificate and the said appointment to Taylor, and that Taylor proceeded to the polling place at North Monaghan and voted soon after the poll was opened, without taking or having tendered to him the voter's oath.

I find that immediately after having voted, Taylor left North Monaghan and returned

to Peterborough, without having entered upon the duties of agent for respondent at the polling place at North Monaghan.

I find that respondent knew that Taylor was going to North Monaghan to act as agent and to vote there.

I find that respondent was aware that a doubt existed as to whether Taylor had a right to vote, and knew that Taylor had sold the property in Peterborough which was his only qualification to vote at that election.

I find that Taylor was sent to North Monaghan in the expectation that his vote would be received without dispute, and that he would not be required to take the voter's oath.

I find that Taylor's appointment as agent for respondent was merely colourable, and that the respondent did not expect that Taylor would perform the duties of agent at the polling place at North Monaghan.

And I reserve for the decision of the Court of Error and Appeal the question of law whether, under these findings, I should hold and report that a corrupt practice has been committed by and with the actual knowledge and consent of respondent, or by his agent or agents without his actual knowledge and consent; and I reserve the final determination of this petition, and the certifying thereof to the Clerk of the Legislative Assembly of Ontario, until the said Court of Error and Appeal have expressed and given their opinion and determination upon the question reserved, or have made some other decision or order in the premises.

NORTH VICTORIA.

The unsuccessful candidate, Duncan McRae, was the petitioner. The respondent was John David Smith, who filed recriminatory charges against the petitioner

The first case relied on by the petitioner is stated in the particulars thus:—That James Ellis and one Mooney, agent of respondent, bribed Thomas Coulter and Thomas Hodgson by the payment of a disputed debt between Coulter and Hodgson. The facts proved were that Mooney asked him to vote for the respondent. Coulter would not promise nor did he refuse, but he said that there was a debt due to him for seven or more years by a firm of John C. Smith & Co., John C. Smith being the respondent's uncle. Mooney promised to write and get the debt paid if he could. Afterwards Coulter saw respondent and Ellis together, and again referred to this claim Ellis said that respondent was not a member of the firm when this claim arose (which was proved to be the case). Respondent said he would write to his uncle, and if it was right his uncle would no doubt pay it. Coulter and Hobden (not Hodgson, as stated in the particulars) voted for the respondent. Hobden was not present at any of these conversations, nor interested in them, and it does not appear that anything was done in the matter. I think the evidence entirely insufficient to sustain the charge.

The next charge relates to an oyster supper at Buck's hotel, in Minden. There had been an election meeting in the town hall -about five minutes' walk from the hotel. After this meeting was over some of the respondent's friends remained together consulting about the election, and afterwards went to Buck's, where some of them boarded. There it was proposed to have an oyster supper, which Frederick J. Shove, one of the party, ordered. He said he had been working hard for the respondent during the day, and needed refreshment. Respondent had previously gone to his own room, and Shove invited him to come down and join them. Respondent was half undressed and declined, but at the same time he urged Shove to do nothing to prejudice the election, and Shove went down, and seven or eight persons sat down to supper.

The respondent gave evidence respecting this to the following effect: I began to undress, when Shove came in and said, "Don't you want to buy a load of oats?" I asked him, "What do you mean?" He said, "There are a few of us down stairs who are going to have some oysters." It must then have been 11.30 p.m. He invited me to join them. I excused myself, and he said, "Can't Jim Ellis pay for this?" I said I thought he could. He said, "Very well," and turned down stairs. Shove swore he thought the supper should be given. It was an understanding it should be for the benefit of respond-

ent, but respondent did not like the idea of giving refreshment. Shove thought there was an arrangement that it should be charged by Buck to respondent as a sale of oats. Shove said that he suggested this. Buck's charge was $13.20, which was for the supper only. Shove made up the account a day or two after the supper. Oats were thirty-two cents a bushel, and Shove swore that he thought that was the way the amount was got at. Shove made it up with one Lott, Buck's book-keeper or bar tender. He applied for payment, and Shove said forty-one bushels of oats would cover it. He also stated on re-examination that this supper was ordered without any thought of influencing Buck—that respondent said to him (Shove) to be very careful to do nothing to interfere with the election. He said that they were careful, that the oysters were to be charged as oats, and that it was arranged with the bar-keeper it should be charged as oats; and he concluded his evidence by saying, "As we were working all day for respondent, I thought naturally that he ought to pay for our refreshment. I intended all along to have it charged to him. I thought it necessary to forward the election." Some of those at the supper were boarders at the hotel.

James Ellis spoke of this supper, and said he was one of the party. He thought $3.20 would have been ample payment for the supper. He heard a talk about oats after the supper was mentioned. Gaynor, one of the party who had been at the meeting, produced a paper on which was written, "Twenty bushels of oats at forty cents," and they laughed, and the paper was thrown under the table. As far as he knew the supper had nothing to do with the election. The oysters were got from Gaynor's, who keeps a grocery near the tavern. When Shove came down from seeing respondent, he stated that respondent had said, "Whatever Jim says." The witness understood that he was meant by "Jim."

The particular to support which the foregoing evidence was given, is that one Frederick Shove, of the Village of Minden, an agent of the respondent, and with his knowledge and consent, provided and furnished drink and other entertainment to a meeting of electors assembled for the purpose of promoting the election, at the hotel of D. Buck, in the Village of Minden.

I think this particular is not proved by the evidence given. I assume it to be amended so as to obviate any minor objections, but it fails, in my opinion, on the essential ground that Shove is not shown to be generally the respondent's agent, nor particularly to furnish this entertainment. Mr. Shove (whose manner appeared to me to indicate that he entertained no mean opinion of himself) desired to have an oyster supper at the respondent's expense, and to evade the law against treating, which he feared might apply, proposed the absurd scheme of an imaginary purchase of oats for a sum much in excess of what the supper would have cost, and then goes to the respondent, who was just going to bed, to invite him to join them, concluding that if he accepted the invitation he would pay the bill. The respondent very prudently declined, coupling the refusal with a caution against any improper practice. Shove made the arrangement with the bar-keeper, and afterwards made up the account for him. I suspect the bar-keeper at first looked to Shove for payment, though scarcely for the sum of $13 20, for I cannot find that Shove ever pretended to be respondent's agent, or, even on Shove's own statement, that the respondent gave him actual or implied authority to act as his agent on this special occasion. Looking at Shove's conduct and his account of the matter, I think his evidence does not prove this charge, and the only plausible ground for sustaining it is the respondent's statement that Shove said to him "Can't Jim Ellis pay for them?" and respondent answered "he thought he could." Mr. Ellis's evidence of what Shove said when he came down, of the result of his inviting respondent to join them, does not sustain Shove's account of it, nor does Ellis appear to have said or done anything in regard to ordering or authorizing the supper to be ordered. In fact, Shove represents he ordered it *before* he went up to respondent's room. I think it would be an extreme construction to hold this supper to be a violation of sec. 61 of the Election Law of 1868. Mr. Shove's language might be held sufficient as against himself to subject him to the penalty mentioned in the 65th section of the Act, but not to avoid the election. I find for the respondent in this part of the case.

In Hicks's case the charge is that Andrew Washington (agent for respondent), on the polling day, hired the teams, horses and vehicles of George Hicks and David Mitchell

to convey voters to the poll, and also paid them for horse hire, furnished the keeping of two teams, and gave dinner to them to induce them to vote for respondent.

The facts, as well as I can gather from the evidence, are that Hicks had a team of his own and was employed by Washington to draw lumber for him, Washington owning a saw mill. Hicks and Mitchell were voters, and Hicks had been canvassed by a Mr. McLaughlin for respondent. Washington had been written to by respondent for his vote and influence, and did not answer the letter though he supported respondent. On the polling day, Washington, who was going to the poll, asked Hicks and Mitchell to go with him and vote for respondent, saying that he would take them and bring them back, and they could feed their horses and have dinner. Hicks said to Mitchell, "We should vote for Smith," and Washington said "Yes, vote for Smith," and they agreed to go.

Washington then sent off his foreman on some business to another place in a cutter, with one of the horses of Washington's own team, with instructions, after his errand was done, to meet him at the polling-place, and hired from Hicks one of his horses to make up his team, and paid Hicks half a dollar for his hire. Washington then drove with Hicks and Mitchell to the poll. The foreman arrived, and Washington and he drove off in the cutter, and Hicks and Mitchell, with the horses and sleigh, returned to Washington's house and got dinner.

On this evidence I cannot find that Washington was acting as an agent for respondent, nor that Washington was guilty of a breach of either the 61st or the 71st sections of the Election Act of 1868.

The next case on which the petitioner's counsel relied was Ralph Simpson's case.

The charge is that Malcolm McDougall, an agent of respondent's, bribed, or attempted to bribe, or offered to bribe certain electors—to wit, Ralph Simpson, of Eldon, and Mrs. McDonald, of Kirkfield, and furnished and offered a sum of money to the said Mrs. McDonald to use in corrupt practices.

I find that Malcolm McDougall was an agent of the respondent. I arrive at this conclusion upon the statements contained in his examination before the County Judge, and McDougall's evidence confirms me in it. In regard to Simpson's statement, McDougall swore that he met him on the road on the polling day. He had no doubt he asked him to vote for respondent. He (Simpson) said he was going to vote for McRae, and that he (McDougall) said nothing to him to induce him to change, by way of promise or other wise.

Simpson swears that McDougall asked him to vote for respondent, but offered him nothing—did not mention money to him at all, but said he would like me to vote for respondent; if I would, he would see me another day, and things would be made right—that he told McDougall he would vote for McRae, and it was after this that McDougall said he would see him again.

I think the evidence falls short of what is required to bring the case within the statute. There was no gift or loan of money, or offer or promise of money or valuable consideration. It would, I think, be a forced and unwarrantable construction of the words "he would see me another time, and things would be made right," to hold them to import an undertaking fraught with penal consequences, and McDougall's assertion on oath "that he said nothing to him" (Simpson) "to induce him to change, by way of promise or otherwise," is entitled to some consideration.

I find for respondent on this charge, as far as respects Ralph Simpson.

There is another item included in the same charge—that of having bribed or attempted to bribe certain electors—namely, Mrs. McDonald, of Kirkfield, and furnished and offered a sum of money to the said Mrs. McDonald to use in corrupt practices.

It is shown that McDougall was canvassing one John McDonald in favour of respondent—not very successfully, for he said he left him quite undecided as to whether he would vote or no. They two were outside the house, and McDougall went in to take leave. Mrs. McRae, a widowed sister of John McDonald's, was there. McDougall spoke of her as an old friend of his, and it might be inferred that his acquaintance with her preceded her marriage. He said she was in reduced circumstances. He put some money—he thought 88—in her hand, but she was unwilling to take it. She said nothing, but did not take it. McDougall swore "This was not the first money I had given her. I swear I acted in this from personal feelings, and in no way connected with the election."

This offer to Mrs. McRae was the only offer of money he made to anyone while he was out there. He did also live in that part of the country. He was the only witness who spoke to this part of the charge, and he strenuously denied its truth, and I believe him. It escaped notice at the trial that the charge had reference to a Mrs. McDonald, and the evidence to Mrs. McRae.

I find in favour of the respondent on this part of the charge.

There is a further charge that McDougall, as agent for the respondent, which I have already found him to be, bribed Duncan Monro by payment of money.

To sustain this charge McDougall and Monro were both examined. McDougall swore that he hired Monro to take him with his team to the Victoria Road, to drive him round. He went to arrange for teams to carry in voters. McKay arranged to take his teams out. He made no bargain with him. Nothing was said to him that he was to be paid. "I made no bargain with any one to hire their teams. I gave them to understand I would not promise or pay for them." Monro swears, "I was out with a horse and cutter at Mr. McDougall's request on Saturday, and at his request on the following Monday, the polling day. I was paid upon Saturday night. Nothing was then said about the Monday. I took a man (one Sickles) to the polls on Monday. Mr. McDougall asked me to drive a man to the polling place, and said nothing about paying or not paying. If I was offered pay I would take it. When I returned McDougall was gone." Now the only money paid by McDougall to Monro is stated to be $2 50, and that is shown to be for the hiring on Saturday by the testimony of both witnesses, and to have been paid on Saturday night. This appears to me to disprove the charge of bribery; there is no particular charging the hiring or paying for the conveying of Sickles to the polls on Monday, though there is an unsupported charge of bribing one Sickles by the payment of money. It is enough to say that this other charge (if advanced) would not have been proved by the foregoing evidence.

The remaining charge relied upon by the petitioner's counsel was a charge of treating by McDougall, as agent for respondent, upon the polling day. The only witness to prove it is McDougall himself.

He stated that he was at Simpson's Hotel, at Coboconk, about two or three o'clock P.M. on the polling day. It was about five or six miles from any polling place. He was travelling from Kirkville to Somerville. He treated about six persons in the bar-room. Some of them were strangers to him. His teamster was named Edwards. He (McDougall) did not know he was a voter. The bar-room was open. They only stopped at Coboconk to water the horses. McDougall said he did not know what the parties whom he treated drank; that he was not in the habit of drinking anything stronger than beer or wine.

The respondent's counsel objected to the admissibility of this evidence. I have already expressed my very clear opinion, which I will repeat, that McDougall's agency was sufficiently established by his own evidence, which proves also that he treated five or six persons at Simpson's Hotel on the polling day and during polling hours. The question as to what the parties drank was raised, and was answered by the assertion (not devised) that the witness had stated that decanters were put down and people helped themselves. I had not noted this particular expression. In fact it never occurred to me to doubt what was the nature of this treat in the bar room of a country tavern.

It is my unpleasant duty upon this evidence to find that respondent was guilty of a "corrupt practice" through his agent, Malcolm McDougall, but without the respondent's actual knowledge and consent.

I come now to the recriminatory charges, of which four are relied upon by the counsel for the respondent.

1. That petitioner, on the 6th January, at Victoria Road Station, provided drink and other entertainment at his own expense for a meeting of electors assembled for the purpose of promoting his election, contrary to the 61st section of the Election Law of 1868. Hector Campbell proved that he kept an inn at Victoria Road; that shortly before the polling there was an election meeting of some fifty or sixty persons at a stone building; after the meeting a number of them came to Campbell's inn, and drink was given to them by order of Dalglish, who said petitioner would pay for it. During the same afternoon Dalglish himself returned to the inn, and paid the charge, which amounted to $2. The petitioner did not speak to Campbell on this matter at all. Richard Killingsworth

sworn—He was present when the petitioner asked Campbell if there was anything in the charge relating to treating at his tavern on his (petitioner's) behalf, and Campbell said there was no treating, and that he did not see petitioner there. The petitioner, the last witness called by respondent, swore that the meeting at which he was nominated was held at a store-room a short distance from the hotel. He expressed a doubt as to whether Dalglish was there, and said positively that he did not make or authorize any payment to Peters (who also kept a tavern close by) or to Campbell for anything furnished that day. He said he read the charge respecting the treat at Campbell's to him (C.), who said there was no such thing—that petitioner was not at his house at all.

It was stated, and not denied, that Dalglish was the petitioner's brother-in-law. The petitioner proves that Dalglish accompanied him (driving in the sleigh) on some of his electioneering tours; but of any acts of his—excepting what Campbell swore to—I find scarcely a trace. Unfortunately, the efforts to serve him with a subpœna on (as I understand) the day this trial began, were not successful. I am not satisfied that his character as agent is proved, and must therefore decide in the petitioner's favour on this charge.

Next comes McIlroy's case. The particulars are in these words:—"John Merry and Archibald McFayden (McFadyen), the financial agents of the petitioner, on the evening of the 15th January, 1875, before the day of polling, bribed Francis McIlroy, an elector, to induce him to vote for the petitioner, by the giving up of an agreement for the cutting of timber upon Lot No. 2 in the 5th concession of the Township of Carden, to the said Francis McIlroy."

It was proved that McIlroy had by some agreement in writing, which was not produced, sold the timber growing upon the lot named, and that under it all the pine timber and basswood had been cut down by the petitioner's workmen. McIlroy insisted that he had sold the pine timber only, and that the word "pine" should have been inserted before "timber." This agreement was made upwards of two years before the election, and the pine and bass had all been cut, and under it, as McIlroy stated, the petitioner claimed to have bought all the timber. Two days before a meeting of the petitioner's friends at Kirkville, Merry and Gibson, two of his supporters, asked McIlroy who he intended to vote for, and he said he did not know that he should vote at all, and told them of the difference between him and the petitioner, and Merry said he thought petitioner and witness could settle it. After the Kirkville meeting was over, McFadyen, who was one of petitioner's clerks, told McIlroy to wait and settle this matter. McIlroy said if petitioner would give up his claim to the rest of the timber, "we would call it square, and have no hard feelings about the matter." McIlroy had previously told Merry and Gibson that if petitioner would give up all claim to the timber, except what he had then cut, he (McIlroy) would not go against him; and either then or soon after McIlroy got from McFadyen a paper in the following terms:—"Balsover, January 13th, 1875. This is to certify that I do not claim any timber of Mr. McEllroy, excepting the pine timber and the basswood that is already cut on west half lot 5, on the 5th con. in the Township of Carden, County of Victoria." (Sd.) "Duncan McRae, per A. M. A. McFadyen, witness."

John Merry testified that he desired to help petitioner, and went to see McIlroy about his vote. He knew nothing then of the difficulty about the timber. McIlroy told him he generally supported petitioner. Merry saw petitioner, and told him or McFadyen what McIlroy had said to him. He afterwards heard that there had been a settlement. The petitioner in his evidence said as to this matter: "I had a transaction with McIlroy about timber. I told him I had no claim except for the pine and basswood. Merry asked me on the night of the meeting if I was going to claim any more of McIlroy's timber, and I said I did not intend to cut any more of it. I do not remember that McFadyen or Gibson said anything about it. I know nothing about the paper mentioned by McIlroy. I never heard of it until last Monday, when I got the particulars. McFadyen is not an elector."

I think that the surrender of a right to cut timber on the lands of another who desires to obtain such surrender is clearly within the meaning of the term "valuable consideration." It was obviously so regarded by McIlroy, and was so asked for and accepted by him. The evidence is conclusive as to McFadyen having delivered the assur-

ance that McIlroy would not in that event oppose the petitioner, and as to his having been an agent of the petitioner.

I find, therefore, that the petitioner, through his agent, Archibald McFadyen, was guilty of a "corrupt practice," but without the petitioner's actual knowledge and consent.

19th August, 1875.

This conclusion appeared to me to render it unnecessary to fix an opinion upon the two remaining matters advanced by way of recrimination. It is mainly in the interest of electors that this *tu quoque* accusation is permitted, in order to prevent a successful petitioner from obtaining the vacated seat if he also has violated any provision of the Election Law.

However, in consequence of a reference made by one of the learned counsel to an apparent inconsistency between my ruling in the Coboconk treating case and the keeping open on polling day of his tavern by William Peters, that I enlarged the time for pronouncing my final conclusion until to-day. I must say it struck me that it would be an extreme case if I should find myself compelled to hold that Peters, though an election agent of petitioner), being himself the tavern-keeper and selling liquor as usual in the course of his business, could thereby make the petitioner's return, if he had been elected, void, though no connection between the election or the petitioner and the keeping the tavern open on the polling day was shown to exist. Moreover, I noticed that Peters swore (as if justifying his acts) that there was no polling place within three miles of his house. I have been told that there is an erroneous idea abroad that the law does not render necessary the closing a tavern at that distance from the polling place; and McDougall's evidence seems to point to a similar mistake.

Having arrived at a result adverse to the petitioner upon McIlroy's case, I can see no object in going into Peters' case, and my refusal to receive evidence to support it could be of no detriment or hindrance to the respondent. On a broad view of the case, I am of opinion that the evidence in the Coboconk case was properly received, though it may be doubtful. Had an application been made to me in regular form to add a particular embracing it, I think that (always on reasonable conditions) I could not have refused; and if so—the evidence being conclusive to prove it, and given by an apparently very trustworthy witness—the error resolves itself into one of form. I adhere to my conclusion on the charge avoiding the election, and also to that upon McIlroy's case as against the petitioner. It is no prejudice to his case that the other charges are not pronounced upon.

JUDGMENT DELIVERED BY THE HONOURABLE WILLIAM HENRY DRAPER, C.B., CHIEF JUSTICE OF THE COURT OF ERROR AND APPEAL, IN THE CARDWELL ELECTION CASE.

The only point of importance in this case is, whether the facts in evidence establish that Peter Small, a merchant and hotel-keeper within this electoral riding, was an agent of the respondent. That his hotel was open on the polling day, and during polling hours, and that spirituous liquors and beer were freely given and sold therein, was not at all denied.

The circumstances are peculiar.

A convention of electors of the riding, who belonged to the Reform party, was called together to nominate their candidate for this election. Certain delegates had been chosen or otherwise appointed to hold this convention. Peter Small had fully anticipated that he would be the nominee. He was a well known member of the Reform party and was a Roman Catholic. He kept a merchant's store and an hotel in the Village of Ballacroy, in the Township of Adjala, and had large dealings and connections throughout the riding. The convention, however, disappointed his expectations and nominated Mr. Bowles, who became the opponent of the Conservative candidate, the now respondent.

In his evidence Mr. Small stated, in regard to Bowles and his nomination by the convention, that "people voted for him (in the convention) who had no right to vote. I showed up the convention. I asked people to vote against Bowles. I made it understood

I wanted to defeat the nomination of the convention. I considered that Bowles had personally broken faith with me. Though I had conversation with respondent after Bowles' nomination I never spoke to him at all about the election. By opposing Bowles I was in effect supporting respondent. A large number of my friends are Roman Catholics. I suppose there are seven or eight hundred Roman Catholics in the riding. I remember telling respondent to see young Walsh and he would give him some information." On his cross-examination he said "It made no difference to me who was the nominee of the convention. People were allowed to vote in the convention who had no votes in the riding," and he mentioned the names of several such persons. "That was the ground of my acting publicly. I was never answered except by one Jones. I had nothing to do with respondent in trying to procure his election either for his party's sake or his own."

Walsh was a clerk and employee of Small's in the store and business, and occasionally in the bar of the hotel. He was also the telegraph operator, the telegraph office being in the store, which, with the hotel (all forming one building), was burnt down in April last. The hotel license was taken out in Walsh's name. Spirituous liquors were sold in the shop as well as in the hotel. Walsh said he was a Conservative and was from the first favourable to the respondent and spoke to others in his favour, and to get votes for him, and wrote one or two letters with the same object. He spoke to the respondent about the election and was his scrutineering agent at the poll at Ballacroy under an appointment signed by respondent, who left three appointments in blank, signed by him, with Walsh to be used if necessary, so that respondent might always have an agent at the poll but they were not used as he (Walsh) was not absent from the poll more than five minutes. The poll was taken in a separate building very near the shop and hotel. He was at the meeting at Tottenham, in the Township of Tecumseth. Small took him there and Small made a speech to which a Mr. Jones replied. Small was shewing up the convention and accused Jones of treachery. Small was, as Walsh understood, desirous of defeating Bowles. Walsh told respondent of the dissatisfaction of the Roman Catholics at the unfair exclusion of Small, and that he thought this dissatisfaction improved respondent's prospects. After the result of the polling was known, and late in the evening of polling day, respondent returned thanks for his election and said he was thankful, to Small for being instrumental in bringing about his election, which remark may have been made in irony as Small had supported Bowles at a previous election. On cross-examination he (Walsh) added, "I think Small expected the nomination, and I understood he was thrown out because he was a Roman Catholic. There was a breach of faith among the members of the Reform convention : there was a change between the open and the secret voting, and Mr. Small's feeling arose from this."

I have set out this evidence with some particularity, because upon it is founded an argument that it maintains the assertion that Small ought to be regarded as an agent for respondent as to this election ; that respondent must consequently be bound by his acts, and that if he is proved to have been guilty of corrupt practices they will attach upon the respondent as the acts of his agent, and will avoid the election. I will take the question upon the assumption that Small was guilty of corrupt practices against the election laws—a fact in reality not disputed.

Small by his own evidence, as well as by circumstances appearing which indirectly, but strongly, lead to the same result, was a well-known member of the Reform party ; nothing transpired during the whole trial to put this in doubt, and not an expression was drawn from him in his examination to raise a doubt that his political opinions were unchanged. He admitted that he had a conversation with the respondent, but not all about the election ; that he had told him to see young Walsh, who would give him some information. The respondent did see Walsh, who informed him of the dissatisfaction of some of the Roman Catholics at the treatment of Small by the convention, and that, in Walsh's opinion, this was favourable to respondent's success ; but however well-founded that young man's opinion, I cannot discover in it any proof that Small had become respondent's agent for the election, or that respondent had so considered him. Mr. Small was disappointed in an object which he desired and expected to have obtained ; he was irritated because (whether rightly or not) he thought there had been treachery in the conduct of some on whom he had relied as friends, and that unfair means had been re-

sorted to, by which one of those friends accepted and occupied the very position which he coveted; and he resented it not merely in words, but in the acts which he stated in evidence; and it is to be remarked that not another witness but himself proves any act on which reliance has been placed to prove his agency. It is perfectly true that everything he did under the influence of these feelings which was prejudicial to the nominee of the convention was favourable to the respondent; that every obstruction placed in the path of the one was *pro tanto* a clearing of the way for the other; but, for the purposes of this question, I must regard the motive which brought about the acts relied upon. I think I have the key to this whole conduct, and that I have shown what dominating influence governed him. All that he is proved to have done is accounted for by his hostility towards the convention and their nominee, while there is really no direct evidence of his having done anything which furnishes the ordinary proof from which agency is inferred. He did not canvass for respondent either with respondent or alone. He attended no meetings called by respondent, for the meeting at Tottenham, if not a Reform meeting, was a mixed meeting, and his speech at it was hostile to the convention and its nominee on account of their conduct towards him. He does not appear to have solicited one vote in favour of respondent or have taken one vote for him to the poll; and, while fighting on purely personal grounds against the Reform candidate, he does not change his opinions as a Reformer. I freely grant that his conduct from a party stand-point was absurd; but he was an angry man, listening to the promptings of disappointed and exciting feelings, of wounded self-esteem; but I can find no proof in it of his agency in favour of the respondent; nor can I fasten upon him a character which I feel convinced he never meant to assume. I can quite understand Small's resolve to oppose Bowles, and to do all that he could to defeat him, although in so doing he was helping the opposite party, without desiring the success of Bowles' opponent on any other ground than hostility to Bowles, and disregarding all other consequences of his gratifying that hostility; but I cannot convert such a course into an agency which is to affect this party who is not in any way connected with the difference between Small and Bowles, or hold the respondent to be affected by anything done by Small in pursuance of a vindictive feeling against another, to which respondent was no party.

I must therefore dismiss the petition, and can find no reason which will justify me in refusing to give the respondent his costs.

SOUTH ESSEX ELECTION PETITION.

SAMUEL MCGEE, *Petitioner*,

vs.

LEWIS WIGLE, *Respondent.*

Judgment on *Point Reserved* at the *Hearing of Petition.*

SPRAGGE, C.—At the close of the argument on Saturday last I gave my views upon the several points of law and of fact presented in the case.

One point only I did not decide finally, viz.: Whether the partaking by Alfred Wigle, whom I find to be an agent of the respondent, of a treat given by James McQueen, during polling hours, in Lovelace's tavern, was a corrupt act within the statute, which would avoid the election, I could see no escape from the conclusion that this act, prohibited by the 66th sec. of the Act 32 Vict. Cap 21, and declared to be, being within polling hours, a corrupt act by 36 Vict., cap. 21, and being an act participated in by one for whose acts the respondent was responsible, must avoid the election.

I have since had an opportunity of conferring with three of the other Judges, and they all concur in the view which I expressed at the conclusion of the argument. The result is that I must declare the election void by reason of the corrupt practice by an agent.

As to costs, I think the petitioner is entitled to the general costs of the inquiry; but the costs have been greatly increased by the calling of witnesses to charges which the petitioners have failed to prove; and the costs, so far as they have been so increased, are

to be disallowed. No costs to be taxed in respect to the evidence, except such as have been incurred by proof of the fact upon which my judgment proceeds.

In the searching and protracted inquiry which has been had before me, I find no personal wrong proved against the respondent. The expenses of the election have been very moderate, and the evidence leads me to believe that the respondent desired and endeavoured that the election should be a pure one.

Election set aside.

NORTH MIDDLESEX ELECTION CASE.

Spragge, C.—I will consider first the alleged bribery of Michael Sullivan by Robert O'Neil. Sullivan was in possession of a Canada Company lot, and there was a difficulty in regard to his getting a deed of it from the Company. The charge is that O'Neil held out to him that if he procured electors to vote for the respondent he would aid him in procuring for him the deed from the Canada Company, and it is represented that the getting out of the deed was intended to be kept hanging over the head of Sullivan as a spur to his exerting himself in procuring votes; and, though in fact obtained before the election, it was only very shortly before, and its procurement expedited in consequence of the commencement of an action of ejectment by the Canada Company.

The intention to postpone the procurement of the deed till after the election is not denied, but it is alleged that it was for a sufficient reason, viz., lest its being procured pending the contest might be laid hold of by the opposing candidate, Mr. Smith, or his friends, as a handle, as O'Neil in his evidence expresses it, to impute a corrupt practice upon Sullivan by O'Neil. There was no need, it is said, to bring any undue influence to bear upon Sullivan, or to bribe him by any inducement to support the respondent, in as much as he was already, and had been previously, a warm supporter of the party to which the respondent belonged, and would in any event have supported him. It is agreed that the action of O'Neil in the procurement of the deeds was accelerated in consequence of the issuing of process in ejectment. Something was said in evidence of a petition being got up among Sullivan's neighbours, connecting in some way the application of Sullivan for a deed with the election, and that the neighbours were led to believe by Sullivan himself that his interests would be promoted in the matter of the procurement of the deed by his obtaining votes for the respondent. That is in substance the case made by the petitioner, but in my opinion the facts proved do not support it. Much sympathy was felt for Sullivan (by his neighbours), who had lived upon and improved the land, a deed of which he was seeking to obtain, and a petition was talked of among them, but it was a petition to the Canada Company. It was not suggested by O'Neil, who discouraged the idea, nor does it seem to have had anything to do with the election. I say this, discarding the evidence of what Sullivan is reported to have said about it, and about O'Neil's agency in obtaining the deed. Sullivan says in his evidence, that O'Neil spoke of the respondent as a good liberal man, or may have so spoken of him. This was to Sullivan, who had not known him before. It is contended that I must infer that this was said (assuming it to have been said at all) in order to lead Sullivan to believe that the respondent would be liberal in aiding him in money or otherwise. I suppose in money in the procurement of his deed. It is true that O'Neil *may* have spoken of the respondent as a good and liberal man, and in connection with the obtaining of the deed, and of Sullivan exerting himself on his behalf in the election. But this is not proved. Sullivan does not seem to have supposed that his support of the respondent had anything to do with his getting of his deed from the Canada Company. He says he asked only one person to vote for him, and O'Neil says very distinctly that his getting out the deed from the Canada Company was purely a business transaction, of a kind to which he was in the habit of attending; that Sullivan and another—one Fahey—employed him for that purpose, and for himself, that he went to Toronto on behalf of both, and that Sullivan paid him $12 for his expenses and trouble. He denies very explicitly that Sullivan's support of the respondent had anything to do so far as he was concerned with the matter, and I think the proper conclusion from the evidence is that it had not.

I have thought it well to discuss this question, as it was a prominent matter in the investigation before me, but I at least doubt whether O'Neil was an agent for whose acts the respondent was responsible.

Two direct corrupt acts are charged to have been committed by William Stevenson, an agent, it is alleged, of the respondent, consisting in the offer to one George Shibley of a sheepskin if he would vote for the respondent, and in the offer to one William Robson also of a sheepskin if he would stay at home on election day. Shibley and Robson are not called upon this charge, but William Stevenson only. The defence is that these offers, which were both made on the same day, were never seriously made, and that it was well understood by both Shibley and Robson that they were made in mere jest. Stevenson, in his evidence, says that Shibley is a man of wealth and a magistrate, and as I understand his evidence the offer came from him that he would vote for the Respondent if Stevenson would give him a sheepskin. The witness describes Robson as a storekeeper living in Carlisle. He swears that he looked upon these offers as in jest, and felt sure that they were so regarded by Shibley and Robson.

A statement that an offer to bribe was made in jest should be received with great suspicion. A briber may make an offer which he intends should be taken seriously, and then, in the event of its not being accepted, shelter himself afterwards with the plea that it was only in jest; but looking at the position of Shibley and Robson, and the nature of the thing offered and its value—a dollar or less—it is probable that Stevenson speaks the truth when he says that it was but a jest. The case, however, is divested of all difficulty by the circumstance that Stevenson was not at the time an agent of the respondent The matter occurred in the autumn before the snow fell—the witness thinks in October—and it was long afterwards, and as the witness thinks, after the public nomination which was on the 11th of January, that he received a communication from Gilchrist, financial agent of the respondent, asking him to canvass a school section. There was nothing shown to constitute him an agent before that.

Another point taken by the petition is this, that there were meetings of electors within the meaning of section 61, at which there was treating within the meaning of that section, and that, the same being with the actual knowledge and consent of the respondent, he thereby loses his seat, and is disqualified. Mr. Kerr's contention upon this point is, that it is immaterial whether the treating was by the candidate himself or by an agent, or by a stranger, and that the motive and intent are, under the section as amended, immaterial; that all that is necessary to bring the case within the section is, that the treating is to a treating of electors, such as is described in this section, and that it is with the actual knowledge or consent—which Mr. Kerr reads, knowledge *and* consent of the candidate.

I incline to agree with this interpretation of the section, and in the Dundas case I acted upon a like construction then put upon it by myself, with this difference—that in that case the treating was by an agent of the candidate, not by a stranger; but I thought in the South Essex case that a corrupt practice, participated in by an agent being by his participation a party thereto, would avoid the election. This was under the second provision of section 66; and this construction has now, I understand, been approved by the Court of Appeal. But my difficulty in this case is upon the question whether the treatings in question were to meetings of the electors within the meaning of the section. I take the meeting on nomination day and at Elson's as examples. I take the meeting held on that occasion (the nomination) to have been a meeting within the section. The meeting at Elson's, while of a different character, was still, in my opinion, a meeting of electors, assembled for the purpose of promoting the election; and if the treating had been, in any proper reasonable sense, a treating to electors so assembled, I should hold it to be a corrupt act. But there are these material circumstances to be taken into account: North Middlesex is a rural constituency; the electors attending these meetings were for the most part from a distance; their horses and conveyances would be put up in the stables and driving sheds of the taverns of the place; the meetings were in January, and the weather is described to have been very cold. Then there is the custom of the country—not to be commended, but still to be taken into account—to take drink in the bar-rooms of taverns, and to do so in the shape of treating some or all of those assembled with them in the room, "the crowd," as it is so often called. Now, what was done upon

the occasions in question was this in substance: After the business for which the electors had assembled was over, they left the building in which the meeting had been held and went, some to one tavern, some to another; generally, as I infer, to those at which their vehicles were put up, and before leaving for home took drink in the bar-rooms, in the usual mode—that of treating one another. I cannot think that doing this is in any proper or reasonable sense giving drink or other entertainment to a meeting of electors assembled for the purpose of promoting an election. It is, indeed, doubtful whether there was treating on any of those occasions by my agent of the respondent; and it now appears that there was not any treating by the respondent himself, but the defendant himself partook of the drink on one at least of these occasions in a bar of a tavern.

I am not in the least disposed to sanction any evasion of the law, or to insist upon too rigid a construction of the provisions of the section. It would, indeed, be a rare case, if a possible one, that treating should be given literally to a meeting of electors. It was not so in the *Dundas Case* in which I applied the Act; but what was done in this case is not in my judgment within the spirit and meaning of the Act. To apply it to what was done in this case would be in my opinion straining the provisions of the sections beyond their legitimate meaning and intent.

Upon another branch of the case I have entertained considerable doubt. It has been in regard to treating by the respondent at various taverns in the course of his canvas which occupied about three weeks before the polling day. The respondent is a farmer, and has for the last sixteen years followed the business of a drover. He says that it is the practice of drovers to go to taverns as the best places for meeting with farmers, and hearing of cattle, and that he has always been in the habit of treating at taverns in the course of his business, and this is confirmed by the evidence of other witnesses. He states that when he became a candidate he canvassed personally through the riding and went to the taverns as good places to meet with the electors, that on these occasions he sometimes treated; sometimes friends who were with him treated; and the treating was sometimes by others who were not friends; and the treating was general to all who might happen to be present. As to its extent, he says it was much less than was his habit in the course of his business, not more he says than one-fifth as much; he denies emphatically that he treated with any view of influencing voters; that he made no distinction as to whom he treated; that he had taken legal advice; that he meant to obey the law, and thought that in what he did he committed no infraction of the law. As to which last I will merely observe that if what he did was really an infraction of the law, his being advised and his entertaining the belief that it was not so, would be no excuse in the eye of the law. The treating upon these occasions stands upon a different footing from meat, drink, &c., furnished to a meeting of electors, to which I have already adverted.

The law upon this branch of the case differs from the law prevailing in England in this, that we have not in this Province any enactment equivalent to section four of the Corrupt Practices Prevention Act. Imperial Act of 1854 marks corrupt treating a statutable offence—treating therefore not to a meeting of electors can only be reached by the Common Law, and must be of such a character as to amount to bribery.

It is not contended by Mr. Kerr that the case comes within the old Treating Act, 7 and 8 William 3rd, chap. 4, which forbids treating within certain times specified, "in order to be elected or for being elected." I do not know whether it has been decided that the Act is in force in Canada, but it appears to be as interpreted in *Hughes* vs. *Marshall*, (T. C. & J. 108) to be in affirmance of the Common Law, inasmuch as treating "in order to be elected" is only a species of bribery. The same may be said, I think, of the Act of 1854, for to bring a case within that Act, the treating must be with a corrupt intent, *i. e.* to influence electors to give their votes to the person treating them.

My doubt has been whether the treating by the defendant in the course of his canvass, as described by himself, and to which I have referred, does not come within the definition of corrupt treating given by Mr. Justice Blackburn in the *Wallingford Case*, (16 M. & H. 59), "that whenever a candidate is, either by himself or by his agents, in any way necessary to provide any meat, drink or entertainment for the purpose of being elected, with an intention to produce an effect upon the election, this amounts to corrupt treating. Whenever also the intention is by such means to gain popularity, and thereby to affect the election, or if it be that persons are afraid that, if they do not provide entertainment

and drink to secure the strong interest of the publicans, and of the persons who like drink whenever they can get it for nothing, they will become unpopular, and they therefore provide it in order to affect the election. When there is an intention in the mind either of the candidate or his agent to produce that effect, then I think it is corrupt treating."

I think that the respondent, in doing what he did, was treading upon dangerous ground; but before holding that his seat is thereby avoided and himself disqualified, I must be satisfied that what he did was done with a corrupt intent, and in judging of this, the general habit of treating in the country, and the respondent's own practice, may properly be considered. In the *Kingston Case* (11 Can. L. T. 23) the Chief Justice of Ontario observed:—"The general practice which prevails here amongst classes of persons, many of whom are voters, of drinking in a friendly way when they meet, would require strong evidence of a very profuse expenditure of money in drinking to induce a judge to say that it was corruptly done, so as to make it bribery or come within the meaning of 'treating' as a corrupt practice at the Common Law."

In the *Glengarry Case*, Chief Justice Hagarty has referred to the language of English Judges upon the question as to what, in their judgment, would amount to corrupt treating. I find the case reported in Mr. Brough's very useful little work. "A Guide to the Law of Elections," at page 21. I quote from the passages given in the judgment of the Chief Justice:—"In the *Bewdley Case* (10 M. & H. 19) Blackburn J. says: 'corruptly' means 'with the object and intention of doing that which the Legislature plainly means to forbid.' In the same reports (p. 195) in the *Hereford Case* the same judge says that corrupt treating means "with a motive or intention by means of it to produce an effect upon the election." In the *Lichfield Case* (p. 25) Willes, J., says treating is forbidden "whenever it is resorted to for the purpose of pampering people's appetites, and thereby inducing voters either to vote or abstain from voting, otherwise than they would have done if their palates had not been tickled by eating and drinking supplied by candidates." And again, that the treating must be done "in order to influence voters" (p. 26). And so in the same reports in the *Tamworth Case* (p. 83).

His Lordship also cited the *Coventry Case* (ib. 106), and the *Tredlingford Case* (ib. 58) in which it was said by Blackburn, J., that "the intention of the Legislature in construing the word 'corruptly' was to make it a question of intention;" also the *Bradford Case* (ib. 37), where Martin, B., as to the meaning of 'corruptly' says—"I am satisfied it means a thing done with our evil mind and intention, and unless there be an evil mind or an evil intention accompanying the act, it is not 'corruptly' done. 'Corruptly' means an act done by a man knowing that he is doing what is wrong, and doing it with an evil object. * * There must be some evil motive in it, and it must be done in order to be elected."

Without subscribing to every word contained in the passages quoted, they contain no doubt upon the whole a sound exposition of the law.

The extent of the treating and the quantity of drink given should also be taken into account. It was said by Willes, J., in the *Lichfield Case*, "It may be doubted whether treating in the sense of ingratiation by mere hospitality was struck at by the Common Law" but he goes on to say in effect that it is now forbidden by the Act of 1854, whenever resorted to with the corrupt intent of influencing voters.

In the treating in question there was the reverse of profusion, there was not more but much less than the usual hospitality practised by the respondent, so that there is really no room for saying that the respondent was actuated by the intention of ingratiating himself with the electors by profuse hospitality. I will upon this head quote the language of two learned judges not quoted in the *Glengarry Case*. In the *Wallingford Case* (10 M. & H. 59). Mr. Justice Blackburn considers that the amount of treating is an element of consideration upon the question of intention and observes, "When we are considering as a matter of fact the evidence to see whether a sign of that intention does exist, we must as a matter of common sense, see on what scale and to what extent it was done." So Mr. Justice Willes in the *Tamworth Case* (ib. 83), says that it is "obvious that the Legislature did not intend that every bit of bread or sup of drink given to a voter in the course of an election should have the effect of defeating that election." And the same learned judge in the *Westbury Case* (ib. 50), took occasion to explain what he had said in a previous case, desiring it not to be sup-

posed "that treating by a single glass of beer would not be treating, if it were really given to induce a man to vote or not to vote. All that he had ever said was that there was not sufficient to bring his mind to the conclusion that the intention existed to influence a man's vote by so small a quantity of liquor."

It seems all to come to this, treating is not *per se* a corrupt act, the intent of the act must be judged of by all the circumstances by which it is attended. If in this case the evidence led me to the conclusion that the respondent did what he did in order to make for himself a reputation for good fellowship and hospitality, and thereby to influence electors to vote for him, I should incline to think it a species of bribery which would avoid the election at Common Law; but, upon a careful consideration of the evidence, it does not lead me to that conclusion. There was nothing wrong, in the eye of the law, in the respondent making his canvass by meeting the electors at taverns and he does not seem to have abused the occasions of so meeting them, by seeking to obtain their votes by pampering their appetites for drink or by other undue means. I apprehend that I must be able to see with reasonable certainty that he has done this before I can set aside the election.

The case made of an attempt by a Dr. Saurs to bribe one Donald McDonald to vote for the respondent by the giving of a glass of liquor fails upon the evidence and the case for avoiding the election by reason of Dr. Saurs treating and partaking of liquor during the hours of polling fails by the absence of proof, that he was an agent of the respondent.

I have not found it necessary to discuss the question of agency in this case as in my view of it, nothing turns upon it except in the case of Dr. Saurs for whose acts I do not find the respondent responsible.

There is not in my opinion anything in this case to take it out of the general rule that the costs follow the result of the suit.

In re WEST WELLINGTON ELECTION PETITION.

Copy of Judgment.

The respondent was unseated at the Town of Guelph, without a written judgment being delivered, the argument as to costs being adjourned to Toronto. The following is the judgment as to the question of costs:

I should not have allowed to the petitioner the costs attending the charges of bribery (which were not established), and also the costs incidental to the proving certain tavern keepers having for their own profit sold liquor within polling hours on the polling day, but for the following reasons. Two of the charges of bribery were attempted to be established by the evidence of the respondent's financial agent; who, while his evidence showed that in the matters complained of there was no just imputation of any charge of bribery, and certainly shows very equivocal conduct of his own in the matter, attributable either to gross ignorance of his duty on his part, or to a graver charge of want of fidelity to his employer and to the trust he had assumed. I regret very much that the law as it at present stands does not enable the Court, as it does in the case of election to the House of Commons, to make the agent pay himself all the costs of this vain enquiry which his own very equivocal conduct gave occasion for. As between the petitioner and the respondent, the latter must bear the costs incidental to an enquiry which the ignorance and misconduct of his own agent, although not criminal, has occasioned. As to the other charges of bribery, which also were failed to be established, and as to the costs attending proving the tavern keepers to have violated the sixty-sixth section of the Act of 1868, as it was proved they did for their own profit, with which the respondent had nothing to do, I cannot separate these from the general costs, because upon a careful perusal of the evidence I find that the several witnesses who spoke to these points also spoke to other points as to which it was reasonable they should have been subpœnaed.

July 5th, 1875.

I hereby certify the above to be a true copy of the judgment delivered by the Honourable Mr. Justice Gwynne in the above case.

C. C. Robinson,
Registrar.

CONTROVERTED ELECTION ACT, 1873.

Copies of judgments of cases tried by the Honourable Mr. Justice Gwynne.

COURT FOR THE TRIAL OF THE ELECTION PETITION FOR THE COUNTY OF MONCK.

JUDGMENT.

Mr. Currie, for the respondent, admitting that he cannot offer any evidence in contravention of the evidence of the witness, and that the Charles May spoken of by witness was an agent of the respondent for the purpose of forwarding the election, and Mr. Harrison, Q. C., for the petitioner, alleging that he is unable to offer any evidence in support of the charges in the petition affecting the respondent personally, I have nothing to do but to declare the election to have been and to be void by reason of bribery committed by an agent of the respondent, but whether or not corrupt practices prevailed generally I cannot under the circumstances report. Respondent to pay costs.

(Signed) JOHN W. GWYNNE, *J.*

MONCK ELECTION PETITION.

I hereby certify the within to be a true copy of the judgment delivered by the Honourable Mr. Justice Gwynne in the above case.

C. C. ROBINSON,
Registrar.

In re SOUTH GREY ELECTION PETITION.

In this case there was no written judgment given, the respondent being declared duly elected.

Certified.

C. C. ROBINSON,
Registrar.

In re EAST NORTHUMBERLAND ELECTION PETITION.

In this case a written judgment was given, but it was accidentally destroyed by Mr. Henry O'Brien, Reporter for the Law Journal, acting under Mr. Justice Gwynne's instructions, as I am informed by the said Henry O'Brien.

Certified.

C. C. ROBINSON,
Registrar.

(No 49.)

Return showing the amount paid to each Returning Officer and his Deputies for their service at the last general election, and subsequent election with the date of such payments. *(Not Printed.)*

(No 50.)

Papers relating to the Commission issued for the purpose of determining as to the conditions to be inserted in Fire Insurance Policies. *(Not Printed.)*

RETURN

To an Address of the Legislative Assembly to His Honor the Lieutenant-Governor, praying His Honor to cause to be laid before the House all correspondence during the present Session with the Government in the matter of the "Huron and Ontario Ship Canal," except such as is already brought down.

By Command,

S. C. WOOD,
Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, 25th January, 1876.

OFFICE OF THE HURON AND ONTARIO SHIP CANAL COMPANY,
Toronto, 11th January, 1876.

To the Honourable S. C. WOOD,
Provincial Secretary, &c., &c.

SIR,—I have the honour to forward you the enclosed memorial (by order) of the Huron and Ontario Ship Canal Company, which I beg you will lay before His Honor in Council at the earliest opportunity.

Should any further information be required, the Company will be happy to furnish the same.

I have the honour to remain, Sir,
Your most obedient servant,
(Signed) WILLIAM KERSTEMAN,
Secretary H. & O. S. Canal.

To His Honor the Honourable DONALD ALEXANDER MACDONALD, *Lieutenant-Governor of the Province of Ontario, in Council.*

The Memorial of the Huron and Ontario Ship Canal Company,

RESPECTFULLY SHEWETH:

That Petitions have been presented from several corporations and individuals representing over two hundred thousand people, to both the Dominion and Ontario Parliaments, praying for the construction of the Huron and Ontario Ship Canal.

That the Honourable the House of Commons of the Dominion of Canada, at their last session, have extended the time limited by the Acts relating to the Huron and Ontario Ship Canal Company for the completion of its undertaking for a further period of ten years; and the Honourable the Legislative Assembly of the Province of Ontario have also passed an Act at their last session granting further powers to the said Company.

That great expense has been incurred in time, labour and money, in getting the route surveyed by competent engineers, and in preparing reports, estimates, maps, plans, models, profiles and elaborate and detailed drawings illustrative and explanatory of the works necessary for the construction of the said canal.

That the construction of the Huron and Ontario Ship Canal will bring fifty millions of dollars of foreign capital into the Province of Ontario, as well as command the vast carrying trade of the Western States, and our own North-West Territory, by diverting it to this side of Lake Ontario instead of the other, it being a shorter route to Liverpool by the St. Lawrence, by 800 miles, than that by New York.

That the River St. Lawrence will thus be utilized, and become the outlet to Europe and the world for ships of 1,200 tons, and save to the Province millions of dollars yearly in the cost of transportation.

That the expenditure on the work will give employment to thousands of labourers and artisans, and extend our population by becoming the attraction of the world for immigrants of all classes, and, like the Suez Canal, also become a commercial as well as an international necessity.

That large sums of money have been granted in aid of the railways of this Province, and no sum has hitherto been granted in aid of improving our inland water communication.

That the Governor and Council of the State of Illinois have appointed a "Commissioner of Water Routes" for that State; and your Memorialists would intimate to your Honor in Council that it would be highly desirable that a similar appointment be made for the Province of Ontario.

That the Huron and Ontario Ship Canal will materially develop the resources of the Dominion at large, and more particularly the Province of Ontario, by promoting our manufacturing and agricultural interests.

That the Huron and Ontario Ship Canal will largely increase the revenue of our Dominion in customs and excise, and in every way become a national benefit.

Your Memorialists would therefore respectfully pray your Honor in Council to take the importance of the project into your most favourable consideration; and as aid has been granted to the Railway interest of Ontario, in like manner to grant such pecuniary aid, by loan or otherwise, as will enable your Memorialists to further prosecute their undertaking, or as to your Honor in Council may seem fit.

And your Memorialists, as in duty bound, will ever pray, &c.

By order,

(Signed) FRED. C. CAPREOL, [L.S.]
President.

WILLIAM KERSTEMAN,
Secretary.

11th January, 1876.

TORONTO, 19th January, 1876.

To the Honourable S. C. WOOD, M.P.P.,
Provincial Secretary, &c., &c.

SIR,—I have the honour to transmit you the enclosed communication relative to the memorial of the Huron and Ontario Ship Canal Company, heretofore submitted to his Honor the Lieutenant-Governor in Council, which I beg you will also lay before His Honor in Council.

I have the honour to be, Sir,
Your obedient servant,
(Signed) FRED. C. CAPREOL,
President H. and O. Ship Canal Company.

To His Honor the Honourable D. A. Macdonald, *Lieutenant-Governor of the Province of Ontario in Council.*

In addition to the memorial heretofore presented in the matter of the Huron and Ontario Ship Canal Company, I respectfully beg leave to supply the underwritten facts as supplementary to and to an extent explanatory of items mentioned in such memorial, trusting that the same may be serviceable in the consideration of the project therein submitted.

Firstly. The Huron and Ontario Ship Canal, its route, engineering features, and works throughout, may be briefly described as follows: It will connect Lake Ontario (234 feet above the sea) with Lake Huron (574 feet above the sea), and have Lake Simcoe (704 feet above the sea), situated midway between them, for its summit level and feeder. The distance between its southern terminus in Humber Bay of Lake Ontario, and its northern terminus in Georgian Bay of Lake Huron, is 100 miles, of which 24 miles are deep-water navigation through Lake Simcoe, and 16 miles slack-water navigation in the northern extremity of the Nottawasaga River to its mouth in Georgian Bay; so that there will be only 60 miles of canal proper, of which 30 miles will be summit level, and only thirty miles interrupted by lockage. The canal will therefore be in two divisions: one south of Lake Simcoe, 47 miles in length; and the other north of Lake Simcoe, and (including the Nottawasaga River) 29 miles in length. The southern division will commence in the Humber Bay, at about a point 25 chains west of the mouth of the Humber River, where it is proposed to make three lift locks in the solid ground, elevating the canal 45 feet, and carrying it by means of a stone aqueduct over the Lake Shore Road, Great Western Railway and side road. From the northern extremity of this aqueduct the canal will be continued through the solid ground to the Village of Lambton, a distance of three miles, where it will join the river and receive its water supply. Following the valley of the Humber River for about three miles further, to Weston, it will there intersect the Grand Trunk Railway, which is carried over the valley of the Humber by a viaduct about 60 feet above the water level. There the Canal will be brought, by the necessary excavation in the bed of the stream, underneath the railway at a level to afford 100 feet clear headway for the passage of masts of vessels; its elevation to the natural level being effected, after passing beneath the viaduct, by three lift locks.

From Lambton the Canal will follow the valley of the Humber River and its eastern branch, to the boundary line between the Townships of Vaughan and King, in which distance of 21 miles an ascent of 470 feet to the summit level will have been effected by means of 31 locks, of an average lift of 15 feet 2 inches. At this point the largest feature of the work will be encountered– the highlands of the Township of King; these continue to rise until they attain a height of 186 feet above the level of Lake Simcoe (the summit), and then decline to that level within a distance of nine miles. The average depth of the necessary cut through this ridge is about 80 feet, and the total excavation is computed at 36,000,000 cubic yards. It has been satisfactorily ascertained by test pits and boring, that the nucleus of this elevated ground consists of undurated clay and gravel, very similar to the exposed cliffs on Yonge Street, near York Mills, which appear to be a portion of the same geological formation; and that the upper or surface portion is clay, gravel and sand of a friable nature. Notwithstanding the admitted formidable nature and magnitude of this cutting, it is confidently believed that there is no insuperable obstacle in the way of its accomplishment in a permanent and satisfactory manner. Through the entire length of this cutting there will be massive continuous pens, formed of boulders and concrete, and faced with close piling, secured to back stay piles on both sides, to protect the foot of the slope.

This cut will bring the Canal to its connection with the Holland River, the course of which it will follow through an extended flat, known as the Holland Marsh, for fourteen miles to its mouth on Lake Simcoe. Passing through Lake Simcoe and out of it at Kempenfelt Bay, another cut or excavation will be necessary, averaging about 50 feet for five miles, to reach the Nottawasaga River, the course of which will be followed to within three miles of its mouth in Nottawasaga Bay, where, in order to save an extensive bend in the river, there will be a cut of about 40 feet deep for about a mile and a half through a sand-hill with clay bottom. This last cut will bring it to its northern terminus.

On the northern division of 29 miles there is a descent of 130 feet, effected by 11 locks, of which six will have an average fall of 15 feet, and five of eight feet. The only extraordinary work on this portion of the route will be the railway and road crossings over the Holland River near Bradford, where the unsatisfactory character of the ground calls for special structures to secure sufficient foundations for iron swing bridges.

The total lockage on the Canal will be 600 feet, and the number of locks 42. The width of the Canal will be 100 feet at the water surface and 80 feet in the bottom, and its depth 14 feet, except where these dimensions are necessarily exceeded by the width of the valleys and channels of the rivers through which it will pass, and through the deep excavation where its width will be 80 feet both at the surface and bottom, with vertical piers on both sides.

All the locks will be detached to prevent the loss of time and consequent diminution of practical capacity for traffic, which would attend the grouping of locks together in combination.

The locks, sluices and swing bridges will be operated by hydraulic power, except at the level summit where steam power will be used.

The works throughout the line will mainly consist of :—

A stone aqueduct to carry the Canal over the Great Western Railway and two public roads ;

Modification of the Western viaduct, to allow the passage of the Canal under the Grand Trunk Railway ;

About 10,000,000 cubic yards dredging rivers, about 50,000,000 cubic yards' excavation, 16 miles ; retaining piers on both sides of deep excavation ;

60 miles of other slope protections ;

42 locks complete, 250 x 35 feet, with fourteen feet on the sills ;

25 miles, iron hydraulic main, for operating lock-gates, sluices and swing-bridges ;

4 special fixed bridges over the deep excavation ;

4 special railway bridges ;

24 iron swing bridges for ordinary road crossings ;

Entrance harbours at each terminus ;

Dams, waste weirs, offlets, culverts and inlets ;

Crib protections in Lake Simcoe ;

Offices, workshops, storehouses, lock, and bridge-keepers' houses ;

145 miles of towing path ;

About 140 miles' permanent fencing.

The time required for passing through the Canal is computed at 42 hours, thus :—

	Hours.
24 miles Lake navigation, at 8 miles per hour	3
52½ miles River and Canal long reaches, 3½ per hour	15
20 miles River and Canal short reaches, 2 miles per hour	10
3½ miles, 42 locks, at 20 minutes each	14
	42

This rate of speed applies to steam-propelled vessels ; sailing vessels to attain it must be towed. Steam tugs will be specially provided for towage through the long reaches ; and the hydraulic power provided for operating the lock-gates, sluices and swing bridges will be available for the short warping ponds.

The estimated cost of all the works is $36,000,000, to which must be added the interest on expenditure during construction, which together will absorb the authorized capital of $40,000,000.

The following opinions on the practicability of the work have been received by the President from two of the most eminent engineers of England, viz., Sir John Hawkshaw and Mr. A. M. Rendel :—

33 Great George Street, Westminster,
December 24th, 1867.

Huron and Ontario Ship Canal.

Dear Sir,—In reply to your letter of the 21st instant, on the subject of the practicability of this important project in an engineering point of view, I have to inform you that I have examined the plans, documents and model submitted to me, and have read the Report of Mr. Sykes thereupon. With the exception of the great cutting at the summit of the Canal, there do not appear to be any engineering features beyond those of an ordinary kind; and as regards this great cutting no difficulty need be apprehended, assuming that the material that would be met with is of the nature represented to me by Mr. Sykes.

I am, dear Sir,
Yours truly,
(Signed) John Hawkshaw.

Frederick C. Capreol, Esq.,
2 Montagu Street, Russell Square.

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8 Great George Street, Westminster,
28th March, 1868.

My Dear Sir,—Since my return from India, on Monday last, you have shown me Mr. Hawkshaw's letter of the 24th December, 1867.

I beg to state that I entirely concur in his opinion of the freedom of the proposed Canal from any particular engineering difficulties, provided Mr. Sykes is correct in regard to the soil through which the great cutting is to be carried; but it also appears to me highly probable that this great cutting may be very largely reduced.

I am,
Yours truly,
(Signed) A. M. Rendel.

Fred. C. Capreol, Esq.,
President Huron and Ontario Ship Canal Co.

Secondly. The effect of this Canal will be to diminish the distance between the upper lakes and tide-water, whether at Quebec or New York, about 400 miles; to avoid the tedious and comparatively unsafe navigation of Lakes St. Clair and Erie, and the shoal waters of the St. Clair flats, and to enable a class of large screw steamers and ocean-going vessels to pass from any of the upper lake ports to the sea, or across the Atlantic, without breaking bulk. Whether the carrying trade to Europe be done with or without transhipment at tide-water—about which opinions vary—it matters little to the merits of this Canal; but it is clearly demonstrated that, whether transhipment be made (at Quebec or Montreal, for example) or not, a cargo of grain shipped from Chicago or other upper lake port, *via* this Canal and the St Lawrence River and Gulf, could reach Liverpool quite as soon as another simultaneously shipped *via* Buffalo and Erie Canal, could reach New York; while, in consequence of the saving of time and transhipment, the transportation charges might be reduced one-half, and be remunerative to the shipowner.

That such manifest advantages as these must secure to this Canal the vast carrying trade of the West can hardly be doubted; and it may be fairly considered that, if the western export trade be secured to the channel of the St. Lawrence, that would be an important step towards the acquisition of the import trade likewise, or a large portion of it, for the obvious reason that vessels carrying cargoes of grain eastwards could afford to accept a minimum rate on their return cargo, rather than come back empty.

The magnitude of the western carrying trade, and the beneficial effects of its being secured to Canadian channels, are not appreciated by any but those who have been led to give the subject careful consideration. Few are aware that the teeming products of the great West, and their increase in the ratio which the experience of past years indicates, must, before the Huron and Ontario Ship Canal can be completed, present an eastward

movement of freight (the bulk of which could not fail to seek this outlet as the most favourable, whether for New York or Quebec) sufficient to employ a fleet of vessels greater than all that now resort to the St. Lawrence for timber and other cargoes.

The advantages to this country of such a carrying trade, and the impetus it would impart to many important branches of trade and industry, can hardly be overrated. Such a fleet of vessels continuously passing through the entire length of the Province of Ontario and Quebec, would create a large outlay of money for repairs, outfit, provisions, ship chandlery, &c. The vessels themselves would probably be, to a large extent, built and owned in this Province, as we can build ships here cheaper than they can be built in the United States; while the supply of iron or composite steam vessels for this traffic, and for ocean navigation, would be of great importance to British ship-building interests. Such a traffic may reasonably be expected to impart a greatly increased stimulus to the cultivation of hemp and flax (now in its infancy), and then manufacture into cordage and sail canvas, for the use of the vessels engaged in it.

Thirdly. The probable traffic of this Canal. Based on the various data now in possession of the Company (and composed of Returns of the mining trade, the grain trade, the timber trade, the coal and salt trade, the general merchandise trade, and the provision trade), the following estimate is made of the probable movement of freight of all kinds between the West and East, both ways, by the year 1875 :—

EASTWARD MOVEMENT.

	Tons.	Tons.
Cereals, wheat, corn, barley, oats, rye	6,000,000	
Provisions, beef, pork, lard, &c	200,000	
Minerals and ores	750,000	
Timber, lumber and staves	600,000	
		7,550,000

WESTWARD MOVEMENT.

Coals from Oswego	800,000	
Salt from Oswego	300,000	
General merchandise from New York, *via* Oswego, and from Europe, *via* the St. Lawrence, say one-fourth of Eastward movement	1,900,000	
		3,000,000
Total Tons		10,550 000

In view of the great advantages this route will offer, compared with all others, it would be reasonable to assume that it will command the largest portion of the freight to be carried between the country west of Lake Huron, and the east and sea-board, say, at least two-thirds of the grain, provisions and minerals, lumber and general merchandise and all the coals and salt from Oswego.

Not to strain the point, however, let it suffice for our present purpose, to assume what it is conceived. No reasonable and intelligent mind will refuse assent to, that one-half of the above estimated total of freight passing between the West and the East, or 5,275,000 tons must be commanded by this Canal if *it was now completed and ready for business.*

The rate of toll to be levied on property passing through the Canal is a point of grave importance, because while it is necessary that it be such as will insure to the holder of shares in the work a reasonable dividend on his capital so invested, it is equally necessary that it be such as shall not impose any restriction on the traffic from which it is derived. A careful consideration of the subject has led to the adoption for the purpose of estimating the probable revenue, of 80 cents per gross ton as a rate which will equitably meet both conditions. With a toll of 80 cents on the Huron and Ontario Canal, and 20 cents on the St. Lawrence Canals, western vessels would be clear of all Canadian navigation charges to the seaboard for one dollar per ton, or less than one half of the charge to which they are now subject in passing through the Erie Canal.

Fourthly. The collateral advantages which may reasonably be expected to follow the completion of this important work, may properly be classified as :—

I. Local.
II. Provincial and Federal.
III. National and Political.

I. Local Advantages.

So large an expenditure as $40,000,000 during a period of from five to seven years, within a space of only 100 miles, the whole of which is tributary to the business of Toronto, cannot fail to be a powerful attraction to population, and will probably double the number of its inhabitants, and proportionately enhance the value of real estate, both in the town and in the country. To the farmers of the Counties of York and Simcoe it will secure a home market and high prices for all descriptions of agricultural produce, cattle and horses.

The construction of this work will create an almost unlimited water power along the first twenty-four miles of the Canal, between Lake Ontario and the summit level, under the most favourable circumstances for its application to manufactures, while the Canal itself will afford the greatest facility for obtaining supplies of raw material and the shipment of manufactured stuffs. To the city of Toronto it will offer the invaluable benefit of an abundant water supply for domestic and sanitary purposes ; and the pressure that may be commanded from its source being 470 feet above Lake Ontario will make it so important a protection against fire as must reduce the rate of fire insurance, at the least, 25 per cent., and the equivalent to a corresponding reduction of taxation. The water power, which may be made available within the city, will be of great convenience and value, as by the aid of modern improvements in its application, and the use of high pressure water engines, motive power may be supplied for whatever purposes required. All the printing presses now worked by steam, and sawing and other labor saving machines, may be worked by it, and the power attained by the simple process of turning a tap, while the consumption of water may be registered by a metre and the charge made therefor according to an established tariff.

II. Provincial and Federal Advantages.

During the construction of the work, which may extend over seven years of time, the consumption of dutiable and excisable commodities, by the large number of labouring men and their families, which so stupendous an excavation and other works will necessitate, will bring an important accession to the public income through the customs and excise.

When completed, the immense carrying trade which it will attract and accommodate will be a constant source of profit to both Provinces of Ontario and Quebec, in the necessary expenditure of so large a fleet in its continuous passage through their entire length for repairs, outfit, provisions, ship stores, &c. Ship building and the cultivation of hemp and flax, and their manufacture into cordage and sail canvas, are interests of Provincial importance which will be greatly stimulated.

The most important of its influences on Provincial and Federal prosperity will, however, be found in its powerful agency in the development of the vast region of Canadian territory north and west of Georgian Bay, rich in all the various products of the lake, the forest and the mine, and presenting for future ages a lucrative field for Canadian enterprize and industry.

To the Federal Union this Canal will be of incalculable advantage, through its contribution to more intimate commercial intercourse with the Maritime Provinces of New Brunswick and Nova Scotia, to which their necessary supplies of breadstuffs will be furnished at greatly reduced charges of freight ; while an extensive market will be opened for their coal for the supply of steam vessels engaged in the carrying trade to the United States seaboard and Europe.

As an important feature of the highway for commercial traffic through the Dominion,

it will perform its part in the formation of the most endurable bond of union, and by its attraction of the products of the Western States to Canadian channels, and its development of our own west and north-west possessions. It will be an invaluable feeder to all eastern viaducts of traffic, and especially to our Federal work, the Intercolonial Railway.

Nor in its Federal relations should its value be lost sight of as an important link in the chain of communication between the Atlantic and Pacific oceans through British territory. Connected with the opening up of the portions of the north-west territory suitable for colonization and settlement, the concurrent works which will be called for in the improvement of the lakes and rivers, and their connection with each other by land roads and railways cannot long be deferred. The key to the effective use of this important route will be the Huron and Ontario Ship Canal.

III. British National and Political Advantages.

That the population of Great Britain is directly interested in the successful carrying out of this project cannot be questioned, if its effects be materially to reduce the expense of the carriage of bread-stuffs from the place of their chief production to Europe. If a saving of fifteen cents per bushel be effected in this way, it is a reasonable assumption, and one that experience will probably verify, that this saving will be nearly equally divided between the producer and the consumer. If such a saving may be predicated in the case of grain imported into Britain from America, then a corresponding reduction must be produced in all grain imported. If the average importation of grain into Britain be taken at 20,000,000 of quarters (equal to 160,000,000 bushels) which is about the present figure, a reduction in the price of seven and a half cents per bushel would amount to $12,000,000 or £2,400,000 sterling and be an annual saving of that amount to the British consumer in the most important necessary of life.

In our relations with our neighbours of the United States, this Canal will so identify the commercial interests of Canada and the Western States as to constitute a most powerful and enduring bond of peace and such a community of interest will be established as will afford the strongest possible security for the maintenance of friendly relations, and act as a check to any interruption of international amity.

The magnitude of the project, and the multitude of interests it covers precludes me from being more brief in this communication.

In conclusion I would briefly and respectfully state that from communications I have received of the respective dates of the 13th of May and 30th of December, 1875, I have been informed that capital is beyond everything plentiful in Europe; also, that parties are ready to contract and send out engineers to make a further survey, provided that the undertaking is aided by a grant of the public lands together with municipal bonuses along the route, &c.

I have the honour to be,

Your humble servant,

(Signed) Fred. C. Capreol,

President H. & O. Ship Canal Company.

Toronto, 19th January, 1876.

RETURN

To an Address of the Legislative Assembly to His Honor the Lieutenant-Governor, praying His Honor to cause to be laid before the House Copies of all correspondence between the Government of the Dominion and the Government of the Province of Ontario, relating to a grant of land by the Province of Ontario in aid of the construction of the French River Branch of the Canadian Pacific Railway.

By Command,

S. C. WOOD,

Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, 26th January, 1876.

SCHEDULE OF CORRESPONDENCE RELATING TO A GRANT OF LAND BY THE PROVINCE OF ONTARIO, IN AID OF THE CONSTRUCTION OF "THE FRENCH RIVER BRANCH OF THE PACIFIC RAILWAY."

1875.

Jan. 26.—Letter from the Secretary of State (Canada) to the Lieutenant-Governor of Ontario.

Feb. 22.—Letter from the Lieutenant-Governor of Ontario to the Secretary of State (Canada), enclosing copy of a Report by the Honourable the Treasurer, together with a copy of an Order in Council based thereon.

OTTAWA, 26th January, 1875.

SIR,—I have the honour to inform you that His Excellency the Governor-General has had under his consideration in Council, the question of the appropriation of lands to aid in the construction of the Canadian Pacific Railway, where the line passes through the Province of Ontario—the Dominion Government owning no lands in that Province.

His Excellency is advised that this Railway, although built in the general interest, must necessarily be of the greatest importance, as a local advantage, in promoting the settlement of the Province of Ontario, and giving value to the public lands therein.

I am accordingly directed to request that you will have the goodness to bring the subject under the notice of your Government, with a view to obtaining, if possible, a grant of the public lands in the Province of Ontario for the above purpose.

I have the honour to be, Sir,

Your obedient servant,

(Signed) R. W. Scott,

Secretary of State.

His Honor

The Lieutenant-Governor of Ontario,

Toronto.

Government House,

Toronto, 22nd February, 1875.

Sir,—With further reference to your despatch of the 26th January last, respecting the question of the appropriation of lands by the Ontario Government, to aid in the construction of the Canadian Pacific Railway, where the line passes through the Province of Ontario.

I have now the honour to transmit herewith, for the consideration of His Excellency the Governor-General in Council, copy of an Order in Council approved by me the 22nd of February, 1875, together with a Report on the subject by the Honourable the Treasurer of this Province.

I have the honour to be, Sir,

Your obedient servant,

(Signed), John Crawford,

Lieutenant-Governor.

The Honourable the Secretary of State, Canada,

Ottawa.

Copy of an Order in Council approved by His Honor the Lieutenant-Governor, the 22nd day of February, A.D. 1875.

The Committee of Council have had under consideration the annexed Report of the Honourable the Treasurer, with reference to the despatch dated 26th January, 1875, from the Honourable the Secretary of State of Canada to your Excellency, upon the subject of the Canadian Pacific Railway, with the view of obtaining a grant of the public lands in this Province in aid of the construction of the Railway where the line passes through Ontario.

The Committee concur in the said Report, and submit the same for your Excellency's approval.

The Committee advise that a copy of the said Report and of this Minute of Council be, if approved by your Excellency, transmitted to the Honourable the Secretary of State for submission to His Excellency the Governor-General in Council.

Certified.

(Signed) J. G. Scott,

Clerk Executive Council, Ontario.

22nd February, 1875.

The Honorable the Provincial Secretary.

Treasury Department, 17th February, 1875.

With reference to the despatch dated 26th January, 1875, from the Honourable the Secretary of State of Canada to his Honor the Lieutenant-Governor, upon the subject of the Can-

adian Pacific Railway with the view of obtaining a grant of the public lands in this Province in aid of the construction of the Railway where the line passes through Ontario, the undersigned begs to report the following :

The line of the Canadian Pacific Railway,which at present is proposed to be constructed by the Dominion Government, is the Georgian Bay Branch of the first section of the Pacific Railway, its Eastern terminus being south of Lake Nipissing,and the terminus on the Georgian Bay at the mouth of the French River, a distance of about eighty miles.

The Canadian Pacific Railway Act of 1874 provides that the contractors for any section or sub-section of the Railway contracted for shall be paid $10,000 per mile in money, shall receive a further guarantee of 4 per cent interest for twenty five years on a further sum, and 20,000 acres of alternate sections of land per mile. When sufficient land cannot be found near the Railway, then it is to be appropriated elsewhere by the Governor in Council.

Section 13 of this Act provides that the Georgian Bay branch shall be constructed by contractors as a private enterprise, upon the same terms as the main line, or as a public work of the Dominion under contract ; and by section 14 the Governor in Council, subject to ratification by the House of Commons, may grant a bonus not exceeding $12,000 per mile to any Company in order to secure the construction of the branch lines extending from the eastern terminus south of Lake Nipissing, to connect with existing or proposed lines of Railway.

The proposed location of the Georgian Bay branch is remote (more than 80 miles) from any existing Railway in Ontario, and the construction of extension or other branch lines would be necessary before this part of the Pacific Railway became available for traffic in connection with the present system of Railways in Ontario. The construction of a branch line from the terminus south of Lake Nipissing easterly, to unite with the Canada Central or other line on the Ottawa River, while essential to this branch of the Pacific Railway, would fail to serve as a connecting link with leading Railways to chief business centres of this Province.

While the construction of the Georgian Bay branch and of a line easterly to the Ottawa River would open up more than 200 miles of territory in the Province, and make it available for settlement, yet the financial advantage from this would chiefly enure to the Dominion Government,except as to any increase of value in the lands or timber of the newly opened territory.

Assuming that this branch will be constructed as proposed, its route has been adopted solely with reference to the general interests of the Dominion, in order to obtain the shortest connection with the seaboard for the Pacific Railway. The policy which would best serve Ontario interests would appear to dictate the construction of an easterly and westerly line much to the south of this proposed Georgian Bay branch, but the sounder policy of the responsibility vested with the Ontario Government would be to develope territory for settlement by extensions from existing lines northerly.

The intention then of the Government at Ottawa is to aid in the construction of a line which is a Dominion work, though it may incidentally be of benefit to Ontario in its character as a Provincial body politic by reason of the Railway necessarily lying within the geographical limits of the Province. The request made to the Province to contribute to the expense would therefore appear to be exceptional in its nature, for every work of the Dominion undertaken for the general benefit of Canada, necessarily involves the conferring of some special local advantage upon the particular Province in which it may be constructed, and this has not hitherto been urged as a ground for such Province, in its political capacity, assuming a distinct and additional obligation in aid of the work. As one of the territorial constituents of the Dominion, Ontario, like all other portions of Canada, is necessarily subjected to the burdens imposed by any Dominion undertaking and contributes its just share, through customs duties and other fiscal means towards their discharge.

This Government, would, however appear to be under a duty to this Province to advise the encouragement of such additional local railways as may be necessary to aid in developing the resources of this Province, and in this view it becomes material that the Province should understand the extent of its responsibility in securing proper connections between this projected branch of the Pacific Railway and existing or proposed Railways of Provincial importance. This can only be done by one or more lines running northerly to meet the Pacific branch. The Dominion has jurisdiction under the Act to aid one or more such lines to the extent of $12,000 per mile, but is not required by any existing statute to aid any such line

other than to Ottawa; and while the Government is under no responsibility to do so, it would nevertheless be desirable for the interests which both Governments have in charge, to consider whether, by the mutual contribution of lands and subsidies, connections between the Pacific branch and Ontario lines, southerly as well as easterly to the Ottawa, could not be secured. This is a question of importance to both Governments equally, and should now be fully discussed with a view of determining the porportion of aid which each Government should grant, having regard to their respective functions and responsibilities in the premises.

Respectfully submitted.

(Signed) Adam Crooks,
Treasurer.

RETURN

To an Address of the Legislative Assembly to His Honor the Lieutenant-Governor, praying His Honor to cause to be laid before the House a Statement shewing the gross Receipts of each Sheriff in this Province for the years 1871 and 1874 respectively, and the Expenses of the Offices of such Sheriff for such years.

By Command,

S. C. WOOD,
Secretary.

Provincial Secretary's Office,
Toronto, January 28th, 1876.

RETURN shewing the gross Receipts of each Sheriff in this Province for the Sheriff for such year.

NAME.	COUNTIES.	Expenses for 1871.	Gross Receipts for 1871.	Expenses for 1874.
		$ cts.	$ cts.	$ cts.
Richard Carney	Algoma	150 00	1,470 01	150 00
John Smith	Brant	1,092 48	2,319 47	1,275 62
William Sutton	Bruce	1,096 01	2,788 35	1,580 00
W. F. Powell	Carleton	708 49	3,091 00	2,315 00
Colin Munro	Elgin	1,262 21	1,910 60	1,577 31
John McEwan	Essex	900 00	2,783 60	1,600 00
William Ferguson	Frontenac			
Joseph Maughan	Grey	2,066 19	3,651 13	2,115 76
Richard Martin	Haldimand	644 63	1,087 80	978 09
George Crawford McKindsey	Halton		1,218 43	1,200 00
George Taylor	Hastings	2,000 00	2,988 00	2,000 00
Robert Gibbons	Huron			2,087 46
John Mercer	Kent	1,751 06	3,519 86	3,471 69
James Flintoft	Lambton	1,220 78	2,911 01	1,457 78
James Thompson	Lanark	600 00	1,411 74	681 41
William Patrick for 1874 .... F. G. Dickinson for 1871	Leeds and Grenville	801 37	1,988 88	944 07
O. T. Pruyn	Lennox and Addington	645 27	1,511 42	828 83
J. A. Woodruff	Lincoln	860 00	2,403 00	1,145 00
William Glass	Middlesex	1,125 00	3,070 00	2,140 00
Edmund Deedes	Norfolk	2,008 80	2,917 00	2,083 59
R. Waddell	Northumberland and Durham	1,697 00	3,355 00	3,099 00
Nelson Gilbert Reynolds	Ontario	1,417 00	2,267 00	1,720 00
George Perry	Oxford			1,780 10
Robert Braddy	Peel	1,448 81	2,614 44	1,509 34
John Hossie for 1874 .... R. Moderwell for 1871	Perth	1,397 14	2,364 34	1,572 39
J. A. Hall for 1874 .... James Hall for 1871	Peterborough	1,219 63	2,689 07	1,111 91
James P. Wells	Prescott and Russell			625 07
James Gillespie	Prince Edward			600 00
James Morris	Renfrew	468 71	1,579 30	875 60
T. D. McConkey	Simcoe	2,491 75	4,459 98	29,645 11
Daniel E. McIntyre	Stormont, Dundas and Glengarry	850 00	1,777 32	1,200 00
George Kempt	Victoria			3,100 41
George Davidson	Waterloo	1,058 68	1,847 08	1,025 00
Robert Hobson	Welland	1,000 00	2,100 68	1,100 00
George J. Grange	Wellington	1,384 00	3,281 00	1,459 00
E. C. Thomas	Wentworth	9,598 70	13,835 60	12,410 31
Frederick W. Jarvis	York	5,244 14	8,433 17	8,347 25
		48,157 85	93,645 28	100,812 10

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, 28th January, 1876.

years 1871 and 1874 respectively, and the Expenses of the Offices of such

Gross Receipts for 1874.	REMARKS.
$ cts.	
1,306 69	In the gross receipts for both years are included $1,000 paid by Government.
3,094 66	
3,727 60	
5,063 68	
3,831 44	
4,924 75	These amounts show the fees due Sheriff for work performed, about 12 per cent. of which is alleged to be not yet paid; and also include amounts disbursed in conveying prisoners to the Penitentiary.
... .	Sheriff cannot furnish return in consequence of the destruction by fire of a number of his books and papers in County Court-House.
4,361 41	
1,656 18	
2,408 96	Sheriff cannot give the expenses for 1871, the greater portion of the work having been done by himself.
3,864 00	In this amount is included the Jury account and criminal administration account for December 1874, which was not received by Sheriff until February, 1875.
4,141 21	Sheriff is unable to make return for the year 1871, as the books of the late Sheriff, Mr. Sheriff McDonald, are not in his possession.
5,432 47	Gross receipts and expenses include accounts for certain supplies and expenses connected with the prisoners in Gaol, which are paid through the Sheriff; also expenses incurred in conveying prisoners to Penitentiary, Reformatory, and Insane Asylums.
3,402 23	The increase in the fees of this office is due principally to two or three large sales of goods and chattels in 1874. The amount received for service of process in the year 1874 only shows a difference in favour of 1874 of $47. The amount received for 1874, Criminal Justice accounts, shows an increase of $45 as over 1871.
2,222 86	
2,914 49	
2,522 99	Sheriff states that he had great difficulty in arriving at the expenses of working this office.
3,350 00	
1,687 00	In the year 1871, the Sheriff performed the work in his office in person, which accounts for smallness of expenses. Sheriff states that, under the new tariff of fees of 1874, and from other causes, the gross receipts were largely increased in that year, and that an additional assistant and clerk were employed.
3,314 42	
6,137 00	
3,270 00	
3,483 35	Mr. Sheriff Perry did not hold office in 1871.
2,606 59	
3,376 58	
2,882 36	
1,165 79	Mr. Sheriff Wells did not hold office in 1871. Amount received from the Dominion Government, as Returning Officer for the last Dominion Election in 1874, is not included.
1,500 00	
3,144 84	Bailiff's travelling expenses, fifteen cents per mile, travelled from the County Town.
39,856 43	
2,414 84	The Attorneys in the Town, and in every Village in the United Counties, with few exceptions, serve their own writs and other papers, which action materially affects the emoluments of the Sheriff's office.
5,194 34	
2,133 43	Mr. Sheriff Davidson did not hold office in 1871.
2,911 70	
3,790 00	
17,915 94	
14,805 31	
182,815 54	

Certified. I. R. ECKART,
Assistant Secretary.

RETURN

To an Address of the Legislative Assembly to the Lieutenant-Governor, praying that he will cause to be laid before the House a copy of that portion of the last Report of the Inspector of Registry Offices relating to the Registry Office of the West Riding of Durham; also copy of any representations made by the County Council of Northumberland and Durham, with any correspondence in respect to the said office.

By Command,
S. C. WOOD,
Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, 28th January, 1876.

SCHEDULE OF CORRESPONDENCE AND PAPERS.

1875.

Nov. 18.—Report of Mr. Inspector Smith on the Registry Office, West Riding of Durham.

Dec. 18.—Letter from Mr. Inspector Smith to the Provincial Secretary, transmitting copy of letter from the Warden of Northumberland and Durham, respecting irregularities in the Registry Office for West Durham.

Dec. 28.—Letter from Mr. Inspector Smith to the Provincial Secretary, transmitting copy of a letter from the Warden of Northumberland and Durham, withdrawing, meanwhile, the complaint against the Registrar of West Durham.

1876.

Jan. 14.—Letter from the Provincial Secretary to Mr. Inspector Smith, calling attention to his Report of 14th Dec., 1874, respecting the sureties of the Registrar, and also to his Report of the 18th Nov., 1875, on the same subject.

" 15.—Letter from Mr Inspector Smith in reply thereto.

" 17.—Letter from Mr. Inspector Smith to the Provincial Secretary, on the subject of the complaint of irregularities in the Registry Office, West Durham.

COBOURG, 18th November, 1875.

SIR,—I have the honour to report, for the information of His Excellency the Lieutenant-Governor, that I have again inspected the Registry Office for the County of Durham (West Riding).

The work of this office is passably well done, but not as well as I could wish. The number of registrations since last inspected is 932.

There is no change to report regarding the suretics of the Registrar.

I have the honour to be, Sir,
Your obedient servant,
(signed) SIDNEY SMITH,
Inspector of Registry Offices.

The Honourable S. C. Wood,
Secretary, &c., &c., &c.
Toronto.

COBOURG, 18th December, 1875.

SIR,—I have the honour to transmit herewith copy of a letter just received from the Warden of Northumberland and Durham, on the subject of irregularities in the management of the Registry Office for West Durham.

In order to make such investigation as the Warden requires, it will be necessary to take evidence under oath, and for this purpose I respectfully request that a commission may be issued giving me the necessary authority

I have the honour to be, Sir,
Your obedient servant,
(Signed) SIDNEY SMITH,
Inspector of Registry Offices.

The Honorable S. C. Wood,
Provincial Secretary, Toronto.

COBOURG 18th December, 1875.

Honourable Sidney Smith,
Inspector of Registry Offices,
Cobourg.

DEAR SIR,—I have been directed by the Council of the united Counties of Northumberland and Durham to ask you to inspect the Registry Office of the West Riding of Durham, and examine into the complaints that have been made of certain irregularities, viz., that the books and business are not done and kept in the Registry Office of the Division.

I have the honour to be,
Your obedient servant,
(Signed) W. F. ALLEN,
Warden.

COBOURG, 28th December, 1875.

SIR,—I have the honour to transmit herewith copy of a letter just received from the Warden of Northumberland and Durham, withdrawing the complaint against the Registrar of West Durham.

I have the honour to be, Sir,
Your obedient servant,
SIDNEY SMITH,
Inspector of Registry Offices.

The Honourable S. C. Wood,
Secretary, &c., &c.,
Toronto.

[Private.] CLARKE, 25th December, 1875.

Hon. SIDNEY SMITH,
Cobourg.

DEAR SIR,—I fear the subject of my letter to you in regard to the West Durham Registrar may be of serious consequence to that officer and his family.

I therefore beg to withdraw it for the present, until I consult some of my friends in the Council. If you can meet my wishes in this matter, please let me know, and oblige,

Yours, &c.,
(Signed) W. F. ALLEN.

PROVINCIAL SECRETARY'S OFFICE, ONTARIO,
Toronto, 14th January, 1876.

SIR,—I beg to call your attention to the terms of your Report of the 14th December, 1874, respecting the sureties of the Registrar of the West Riding of the County of Durham, viz., "The Registrar informed me that his sureties were all living and perfectly responsible;"

and to the fact that in your Report of the 18th November, 1875, you state that "there is no change to report regarding the sureties of the Registrar."

It appears by communications addressed by the Registrar of that Riding to this Department, under date the 28th February and 13th March last, that both of his sureties to the covenant now on record had died.

Mr. Armour was immediately requested to furnish fresh sureties, which has not been done.

I have to request that you will furnish a satisfactory explanation on the important point of the Registrar in question having for nearly twelve months neglected to furnish this necessary security to the Government, without you being apparently aware of the fact.

I have the honour to be, Sir,
Your obedient servant,
(Signed) S. C. Wood,
Secretary.

Hon. Sidney Smith,
&c., &c., &c.
Cobourg, Ont.

Cobourg, 15th January, 1876.

Sir,—I have the honour to acknowledge the receipt of your communication of the 14th instant, and in reply beg to state that the Government of the late Mr. Sandfield McDonald having, as it appeared to me, mistakenly assumed the entire management of the matter of Registrar's securities, at my next inspection I arranged with the different Registrars, in order to save the unpleasantness and publicity of making inquiries of outside parties, that they would inform me when inspecting, as to the true position of their sureties, and that if any changes in the interval, by death or otherwise, were to occur, they would immediately communicate the fact to me. I have no reason to suppose that this arrangement has in any instance been violated. It is impossible that I can be aware of every change of securities, by death or otherwise, over the whole Province, unless by the Registrars giving me the necessary information when changes occur. It has happened that I have had to repeat my Reports upon insufficient securities, as in the case of Lennox and Addington, before action was taken; but in no instance have I ever been informed by the Government whether new securities were or were not furnished, in order that I might take further action if necessary.

The course adopted by Mr. Macdonald, of managing the matter of securities of Registrars by the Government has never been changed, and I now respectfully submit that I cannot properly do so; that it would materially advance the public interests, assist me in the satisfactory discharge of my duties, and prevent mistakes in future, if the matter of securities were to a greater extent placed under my supervision.

In regard to the matter referred to in your communication, I have to state that when I made my inspection in 1874, I received the information then reported, and in 1875 I received the information as at that time reported. I cannot understand how the last answer was given, except that Mr. Armour supposed I was aware of the information conveyed to the Government in March last, to which you refer, but of which I never received any notice.

I trust this will satisfactorily explain how the Registrar neglected, for nearly twelve months, to furnish security, without my being aware of it, to the Government. Had I received any notice or instructions, it could not have occurred.

I have the honour to be, Sir,
Your obedient servant,
(Signed) Sidney Smith,
Inspector of Registry Offices.

The Honourable S. C. Wood,
Secretary, &c., Toronto.

Cobourg, 17th January, 1876.

Sir,—I have the honour to inform you that by the same mail which conveyed my communication to you respecting the complaint of irregularities in the West Durham Registry Office, I forwarded a copy of the complaint to the Registrar, to which I received the following reply:—

"The Honourable SIDNEY SMITH,
"*Inspector of Registry Offices.*

"BOWMANVILLE, December 27th, 1875.

"DEAR SIR,—I am in receipt of your communication, with a copy of the Warden's complaint. I have sent it to the Attorney-General with a plea of 'Peccavi sed non facto rursus.'

"Yours very truly,
(Signed) "ROBERT ARMOUR."

I had previously, on receipt of the complaint, written to the County Clerk for a copy of the complaint and resolution of the County Council, and some days afterwards was informed by him, verbally, that there was no written complaint or resolution—that the matter had been discussed in Committee of the whole Council, and, as usual in such cases, a verbal resolution only was passed.

On the twenty-eighth day of December last I notified the Warden that I had forwarded to you a copy of his letter withdrawing the complaint against the Registrar.

I see that all the papers in reference to the office in question have been moved for in the Legislature, and therefore submit the above to complete the correspondence.

I have the honour to be, Sir,
Your obedient servant,
(Signed) SIDNEY SMITH,
Inspector of Registry Offices.

The Honourable S. C. Wood,
Provincial Secretary,
Toronto.

STATEMENT

Of the Returns forwarded to the Office of the Provincial Secretary of all Fees and Emoluments received by the Registrars of Ontario for the year 1875, made in accordance with the provisions of the Statutes of Ontario, 31 Vic., Cap. 20, Sec. 74.

By Command,

S. C. WOOD,
Secretary.

Provincial Secretary's Office,
Toronto, 31st January, 1876.

STATEMENT of the Returns forwarded to the Office of the Provincial Secretary, of made in accordance with the provisions of Statutes of Ontario, 31 Vic., Cap. 20,

OFFICE	REGISTRAR.	Number of Municipalities in the District.	Number of Instruments registered during the year 1874.	Number of Instruments registered during the year 1875.	Amount of Fees	
					Total for Registrations under Sub-Secs. 1, 6, 9, 12, 13.	For Searches, Sub-Secs. 2, 3, 11.
					$ cts.	$ cts.
Algoma District	John Savage				204 54	35 50
Brant	T. S. Shenston	7	1964	1918	2382 60	217 80
Bruce	John McLay	21	3828	4062	91 66	398 00
Carleton	Edward Sherwood	12	2500	2558	3739 84	291 94
Dundas	John Pliny Crysler	6	1148	1126	1480 95	38 30
Durham, East Riding	George C. Ward	4	1062	1017	1497 65	121 12
Durham, West Riding	Robert Armour	5	855	979	1409 70	97 40
Elgin	John McKay	11	3465	3115	4204 50	450 35
Essex	James Wallace Askin	14	3101	2799	3919 43	234 97
Frontenac	R. McBain Rose	18	1369	1409	2040 85	300 13
Glengarry	Alexander McKenzie	4	495	541	760 50	164 32
Grenville	W. I. Scott	8	1313	1259	1704 70	77 50
Grey, North Riding	T. Lunn, ten and a half months ..... R. McKnight, one and a half month	11	2297	2574	3403 15	118 25
Grey, South Riding	Thomas Lauder	9	1696	1934	2640 35	62 15
Haldimand	A. P. Farrell	12	1377	1284	1740 70	388 75
Halton	Thomas Racey	9	1225	1311	1764 55	320 45
Hastings	W. H. Ponton	30	3444	3571	4716 55	549 90
Huron	James Dickson	22	2734	3256	6641 35	262 90
Kingston City	E. J. Barker	1	496	528	777 85	139 90
Kent	Peter D. McKellar	17	3674	3284	4422 80	248 60
Lambton	Thomas W. Johnston	16	4163	3704	5470 30	870 00
Lanark, North Riding	John Menzies	7	1150	892	1215 51	69 00
Lanark, South Riding	James Bell	10	1239	1167	1639 00	208 85
Leeds	Ormond Jones	13	2009	1939	2755 15	111 55
Lennox and Addington	M. P. Roblin	12	1692	1600	2130 70	207 45
Lincoln	John Powell	11	2276	2243	3005 55	154 60
London City	W. C. L. Gill	1	112	1126	1568 30	787 37
Middlesex, E. and N. Riding	James Ferguson	15	3499	3491	61 00	449 18
Middlesex, West Riding	Stephen Blackburn	9	1595	1447	1895 03	113 80
Muskoka	J. E. Lount	10		493	741 99	52 90
Nipissing	John Doran		20	14	21 00	50
Norfolk	F. L. Walsh	8	2545	2250	2722 59	250 08
Northumberland, E. Riding	J. M. Grover	8	1615	1512	2246 08	147 70
Northumberland, W. Riding	W. H. Eyre	5	990	990	1432 25	79 85
Ontario	John Ham Perry	15	2435	2402	3414 80	408 10
Ottawa City	Alexander Burritt	1	1840	1693	2862 60	800 70
Oxford	James Ingersoll	15	3705	3680	4872 75	362 25
Parry Sound District	Patrick McCurry	4	141	191	354 00	41 50
Peel	D. F. Campbell	8	1328	1254	1713 70	118 70
Perth, North Riding	Samuel Rorke	8	2358	2243	2969 00	322 45
Perth, South Riding	Patrick Whelihan	7	1414	1386	1828 25	102 40
Peterborough	Frederick W. Hamilton	18	2120	1945	2669 80	370 60
Prescott	John Higginson	8	1159	1164	1612 30	58 05
Prince Edward	J. P. Roome	9	1206	1304	1739 25	136 50
Renfrew	Andrew Irvine	23	1606	1580	2190 00	403 25
Russell	James Keays	1	674	720	1108 23	22 15
Simcoe	Samuel Lount	24	5382	5575	7013 35	623 48
Stormont	John Copeland	5	789	832	1122 20	213 20
Thunder Bay District	Delavan Van Norman		151			
Toronto City	Charles Lindsey	1	5939	5200	8034 90	1526 69

all Fees and Emoluments received by the Registrars of Ontario for the year 1875, Sec. 74; with which are contrasted Receipts of the same nature in 1873 and 1874.

	received under the Tariff as allowed by Sub-Sections 1 to 13 of Section 70 of the Act.							
				Special Receipts.				
	For Abstracts, Sub-Sec. 4.	For Certificates, Sub-Sec. 5.	For Affidavits and Oaths, Sub-Sec. 10.	For Abstracts, Indices, Sub-Sec. 8.	For work connected with transfer of Instruments, and paid for by County Treasurer, Sub-Sec. 7.	Gross Amount of Fees Proper, 1873.	Gross Amount of Fees Proper, 1874.	Gross Amount of Fees Proper, 1875.
	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
	6 50	8 40	None.	None.	None.	. .	241 75	223 25
	376 75	33 10	8 00	None.	None.	2803 00	3256 25	3028 25
	1246 50	5298 62	None.	None.	None.	6161 35	6860 55	6943 12
	563 00	63 20	11 20	None.	None	3617 85	4415 70	4669 18
	74 55	None.	16 50	None.	None.	1399 52	1758 65	1610 30
	242 23	1 00	None.	None.	None.	1958 80	1945 60	1862 00
	367 70	None.	None.	None.	None.	1711 65	1722 70	1814 80
	218 35	12 25	1 00	None.	None.	5130 07	5473 20	4886 45
Abstrs.	689 85							
Copies.	300 53	28 01	9 50	None.	None.	5129 47	6168 96	5182 29
	136 80	3 50	150 00	None.	None.	2531 55	2479 48	2482 78
	73 25	3 00	36 50	None.	None.	962 23	871 80	1037 57
	132 20	1 50	1 00	None.	None.	2019 55	2014 41	1960 90
	710 55	23 00	1 25	None.	None.	3187 35	3726 05	4256 20
	341 94	23 95	None.	None.	None.	2442 78	2676 23	3068 39
	257 51	3 00	5 25	735 20	None.	2485 56	2590 55	2395 21
	173 10	11 75	50	None.	None.	2101 10	2114 35	2270 35
	913 60	82 00	24 00	None.	None.	5673 75	6300 60	6256 05
	1271 85	37 55	5 00	None.	None.	6793 75	4507 30	8218 65
	49 40	3 00	None.	None.	None.	840 60	880 00	970 15
	679 40	12 50	1 25	None.	None.	7279 75	5488 45	5354 55
	765 00	51 00	3 00	None.	None.	6998 70	7148 72	7159 30
	140 00	None.	1 00	None.	None.	1256 19	1703 81	1425 51
	44 10	22 30	2 25	None.	None.	1922 90	2007 60	1916 50
	328 56	50	17 25	None.	154 00	2893 63	3203 08	3213 01
	293 55	82 65	2 75	None.	None.	2496 65	3061 60	2723 10
	427 36	None.	None.	None.	None.	3502 13	3588 17	3587 51
	178 23	None.	None.	None.	None.	2282 52	2095 20	2133 90
	445 89	118 85	1 75	None.	None.	5528 47	5659 68	5531 66
	555 29	185 82	7 00	None.	None.	3050 78	3217 40	2754 94
	132 65	21 25	None.	None.	None.	865 25	881 78	948 79
	None.	60	1 00	None.	None.	31 65	29 60	23 10
	314 44	None.	. . . .	None.	None.	3021 27	3564 44	3287 11
	627 15	33 00	8 25	None.	456 30	2970 70	2958 92	3062 18
	501 45	None.	1 00	None.	None.	2233 35	2018 95	2014 55
	786 50	64 75	None.	None.	None.	5109 40	4530 70	4674 15
	405 70	74 25	None.	None.	None.	4176 10	4407 40	4143 25
	823 75	23 50	12 25	None.	None.	6318 39	6641 72	6094 50
	50 70	3 50	28 50	None.	None.	222 40	315 30	478 00
	352 11	16 00	1 00	None.	None.	2710 51	2468 47	2201 51
	642 25	32 90	None.	None.	236 91	3464 95	4250 30	3966 60
	494 20	127 65	None.	None.	None.	2370 35	2545 00	2552 50
	623 40	13 55	2 50	None.	264 30	3319 45	3771 20	3445 55
	97 30	25 20	1 25	None.	None.	1452 45	1794 75	1794 10
	106 58	22 10	29 00	None.	None.	1907 00	2117 03	2033 23
	258 60	25 65	None.	None.	None.	2754 47	2879 93	2877 50
	186 20	None.	67 80	None.	None.	1022 50	1173 25	1384 38
	None.	None.	None.	None.	None.	7234 50	7687 35	7636 80
	103 20	2 25	13 50	None.	None.	1316 10	1364 64	1454 35
	. . . .	. . . .	. . . .	. . . .	. . . .	401 79	421 02	. . . .
	295 65	185 00	None.	None.	None.	9072 74	12248 28	10040 24

STATEMENT of the Returns forwarded to the Office of the Provincial Secretary, of made in accordance with the provisions of Statutes of Ontario, 31 Vic., Cap.

OFFICE.	REGISTRAR.	Number of Municipalities in the District.	Number of Instruments registered during the year 1874.	Number of Instruments registered during the year 1875.	Amount of Fees	
					Total for Registrations under Sub-Secs. 1, 6, 9, 12, 13.	For Searches, Sub-Secs. 2, 3, 11.
					$ cts.	$ cts.
Victoria	H. Dunsford	14	2374	2360	3148 25	132 05
Waterloo	D. McDougall	11	1707	1956	2339 15	139 70
Welland	D. D'Everardo	14	2397	1943	2523 37	631 65
Wellington, North Riding	John Anderson	12	1945	2340	3006 25	66 55
Wellington, S. and C. Riding	James Webster	12	2672	3134	4203 85	377 05
Wentworth	John H. Greer	10	4602	3586	4569 25	290 30
York, South Riding	John Ridout	8	2640	2549	3726 60	546 59
York, North Riding	James J. Pearson	8	1425	1439	2034 70	217 40
			114230	113869		

NOTE. The Offices may be generally classified as under :—

Receipts—

Over $10000—(1)—City of Toronto.
Over $8000 and under $8500—(1)—Huron.
Over $7500 and under $8000—(1)—Simcoe.
Over $7000 and under $7500—(1)—Lambton.
Over $6500 and under $7000—(1)—Bruce.
Over $6000 and under $6500—(3)—Hastings, Oxford, Wentworth.
Over $5500 and under $6000—(1)—East and North Riding of Middlesex.
Over $5000 and under $5500—(3)—Essex, Kent, South and Centre Ridings of Wellington.
Over $4500 and under $5000—(4)—Carleton, Elgin, Ontario, South Riding of York.
Over $4000 and under $4500—(3)—North Riding of Grey, Ottawa City, Victoria.
Over $3500 and under $4000—(4)—Lincoln, North Riding of Perth, Welland, North Riding of Wellington.
Over $3000 and under $3500—(6)—Brant, South Riding of Grey, Leeds, Norfolk, Centre Riding of Northumberland, Peterborough.
Over $2500 and under $3000—(6)—Lennox and Addington, South Riding of Perth, Renfrew, Waterloo, North Riding of York, West Riding of Middlesex.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, 1st February, 1876.

all Fees and Emoluments received by the Registrars of Ontario for the year 1875, 20, Sec. 74; with which are contrasted Receipts, &c.—*Continued.*

received under the Tariff as altered by Sub-Sections 1 to 13 of Section 70 of the Act.

Fee Abstract, Sub-Sec. 4.	Fee Certificates, Sub-Sec. 5.	Fee Affidavits and Oaths, Sub-Sec. 10.	Special Receipts. Fee Abstract, Indices, Sub-Sec. 8.	Fee received on account with transfer of Instruments, and paid for by County Treasurer, Sub-Sec. 7.	Gross Amount of Fees Prepay., 1875.	Gross Amount of Fees Prepay., 1874.	Gross Amount of Fees Prepay., 1875.
$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
826 19	None.	None.	None.	275 27	4244 59	4263 25	4106 49
136 20	13 00	9 50	None.	None.	3257 80	2618 60	2637 55
511 10	2 10	3 25	None.	None.	3692 16	4401 51	3573 47
840 56	5 75	2 00	None.	None.	3299 90	3286 00	3919 50
651 00	99 65		None.	None.	4668 80	4712 50	5331 75
1,500 7	19 50	4 25	None.	None.	8083 41	6915 57	6184 05
308 45	62 25	75	None.	None.	3915 16	4959 54	4645 64
259 20	5 20	None.	None.	None.	2373 55	2660 35	2516 50
					189585 64	199063 19	196033 01

Over $2000 and under $2500—(7) Frontenac, Haldimand, Halton, Leeds City, West Riding of Northumberland, Peel, Prince Edward.
Over $1500 and under $2000—(6) Dundas, East Riding of Durham, West Riding of Durham, Grenville, South Riding of Lanark, Prescott.
Over $1000 and under $1500—(4) Glengarry, North Riding of Lanark, Russell, Stormont.
Over $500 and under $1000—(2)—Kingston City, Muskoka.
Under $500—(2) Nipissing, Parry Sound.

Return from Thunder Bay has not yet been received.

The total number of instruments registered shows a decrease of 254 as compared with that of 1874.

The total amount of fees received in 1875 shows a decrease of $3030 18 as compared with the Returns of 1874, and an increase of $6447 37 over that of 1873.

The Registrars of Essex and West Middlesex generally report a decrease of fees in consequence of general depression of business. County of Peterborough 11 Townships transferred from the Registry Office, Provisional County of Haliburton. County of Wellington South and Centre Ridings. Investments in re "Credit Valley Railway" caused considerable increase in fees.

I. R. ECKART,
Assistant Secretary.

RETURN

To an Address of the Legislative Assembly to His Honor the Lieutenant-Governor, praying that he will cause to be laid before the House a Return of the Names of all Societies incorporated under an Act passed by this Legislature, intituled "An Act to incorporate Benevolent, Provident and other Societies;" also all correspondence between any Member of the Government or any judicial or other officials of the Province, in reference to the carrying out of the Act.

By Command,

S. C. WOOD,
Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, February 1st, 1876.

RETURN showing the Names of Societies whose Declarations have been filed in the Provincial Registrar's Office, in accordance with sub-section 4, section 2, cap. 34, 37 Vic., intituled "An Act respecting Benevolent, Provident and other Societies."

NAME OF SOCIETY.	Date when filed.	Correspondence, if any.	Remarks.
Ancient Order of Foresters—Court "Hope of Canada," No. 5604, Toronto	9th April 1874	None.	
Women's Christian Association, Toronto	15th June ,,	,,	
The Toronto Home for Incurables	5th Aug. ,,	,,	
The Sisters of Charity of the House of Providence, Kingston	18th Sept. ,,	,,	
St. George's Society of Kingston	20th Nov. ,,	,,	
The Charitable Society of the Canada Conference of the Evangelical Association of North America	10th Dec. ,,	,,	
Ladies' Educational Association of Toronto	16th Jan. 1875.	,,	
Grand Lodge of Ontario of Odd Fellows	5th Feb. ,,	,,	
Benevolent Society, Sons of England, Toronto	19th ,, ,,	,,	
Ancient Order of Foresters—Court "Star of the East," No. 5833, Toronto	22nd Mar. ,,	,,	
Ancient Order of Foresters—Court "Pride of the West," No. 5865, Toronto	25th ,, ,,	,,	
Ancient Order of Foresters—Court "Little John," No. 5834, Port Perry	6th April ,,	,,	
Ancient Order of Foresters—Court "Perseverance," No. 5866, Guelph	23rd ,, ,,	,,	
Ancient Order of Foresters—Court "Cosmopolitan," No. 5687, Toronto	26th ,, ,,	,,	
Toronto Philharmonic Society	14th May ,,	,,	
Ancient Order of Foresters—Court "Hearts of Oak," No. 5772, Toronto	12th July ,,	,,	
Queen City of Ontario Lodge of Odd Fellows, No. 56	2nd Sept. ,,	,,	
Laurel Lodge of Odd Fellows, No. 110, Yorkville	4th Jan. 1876.	,,	

Certified. JOHN F. C. USSHER.
Deputy-Registrar.

RETURN showing the Names of Societies whose Declarations have been filed in the Offices of the Clerks of the Peace, in accordance with sub-section 4, sec. 2, cap. 34, 37 Vic., intituled "An Act respecting Benevolent, Provident and other Societies."

COUNTY.	NAME OF SOCIETY.	Date when filed.	Correspondence.	Remarks.
Algoma District.				
Brant	Brant Saving and Loan Society	22nd Mar. 1872		
,,	Brantford Young Men's Christian Association	2nd April 1874		
,,	Grand River Lodge, No. 91, of I.O.O.F.	19th Mar. 1875		
,,	Harmony Lodge, No. 115, I.O.O.F.	20th Sept. 1875		
Bruce				No declarations filed.
Carleton	Société de Bienfaisance et de Secour Mutual de St. Pierre, d'Ottawa	28th May 1874		
,,	The Carleton Club, Ottawa	8th Jan. 1875		
Elgin	Court Elgin, No. 5863, of the Ancient Order of Foresters	5th July 1875		
,,	The St. Thomas Lodge of Free and Accepted Masons, No. 44	27th Nov. 1875		
Essex	Frontier Lodge, No. 45, I.O.O.F. of Ontario	25th June 1874		
Frontenac	The Odd Fellows' Relief Association of Canada	16th April 1875		
Grey				No declarations filed.
Haldimand				No declarations filed.
Halton				No declarations filed.
Hastings	The Quinté Permanent Building, Loan and Saving Society	3rd Dec. 1875		
,,	The Hastings Loan and Investment Society	14th Jan. 1876		
,,	The St. Charles Total Abstinence Society	19th July 1875		
Huron	Fidelity Lodge, No. 55, I.O.O.F., Seaforth, Ontario	11th June 1874		
Kent	(1.) Ridgetown Lodge, No. 144	7th April 1875		
,,	(2.) Kent Mutual Benefit Association	20th May 1875		
Lambton	Syracuse Lodge, No. 151, I.O.O.F.	20th Oct. 1875		
Lanark	(1.) The Father Matthew Temperance Association of Almonte	28th Jan. 1875		
,,	(2.) The St. Andrew's Society of Almonte	5th Nov. 1875		
Leeds and Grenville				No declarations filed.
Lennox and Addington				No declarations filed.
Lincoln				No declarations filed.
Middlesex	Dominion Lodge, No. 48, I.O.O.F., Baltimore Unity, of London, Ontario	27th June 1874		
,,	Eureka Lodge, No. 30, I.O.O.F., Baltimore Unity, of London, Ontario	,, ,,		
,,	Forest City Lodge, No. 38, I.O.O.F., Baltimore Unity, of London, Ontario	,, ,,		
,,	London United District Ancient Order of Foresters	24th Oct. 1874		
,,	Court "Pride of the Dominion," No. 5660, Ancient Order of Foresters	25th Nov. 1874		
,,	Protestant Home for Orphans, Aged and Friendless Persons	24th Nov. 1874		
,,	Court "Forest City," No. 5744, Ancient Order of Foresters	24th Dec. 1874		
,,	Women's Christian Association of London	18th Mar. 1875		
,,	Howard Lodge, No. 58, I.O.O.F.	3rd Aug. 1875		
Muskoka District.				
Nipissing District.				
Norfolk				No declarations filed.

RETURN showing the Names of Societies whose Declarations have been filed in the Offices of the Clerks of the Peace, in accordance with sub-section 4, sec. 2, cap. 34, 37 Vic., intituled "An Act respecting Benevolent, Provident and other Societies."—*Continued.*

COUNTY.	NAME OF SOCIETY.	Date when filed.	Correspondence.	Remarks.
Northumberland and Durham	Florence Nightingale Lodge, No. 66, I.O.O.F., Bowmanville	23rd Nov. 1875		
"	Port Hope Young Men's Christian Association	17th Aug. 1874		
"	Court "Pride of Ontario Lodge," No. 6000, Ancient Order of Foresters	24th Jan. 1876		
Ontario				No declarations filed.
Oxford				No declarations filed.
Parry Sound.				
Peel				No declarations filed.
Perth	Russell Lodge of Odd Fellows, No. 51, of Mitchell, Ontario	23rd July 1875		
Peterborough				No declarations filed.
Prescott and Russell				No declarations filed.
Prince Edward	The Working Man's Temperance Association of Picton	29th Nov. 1874		
Renfrew				No declarations filed.
Simcoe				No declarations filed.
Stormont, Dundas and Glengarry				No declarations filed.
Victoria				No declarations filed.
Waterloo				No declarations filed.
Welland				No declarations filed.
Wellington	The Guelph Club	23rd Aug. 1875		
"	Odd Fellows' Progress Lodge, No. 158, of I.O.O.F.	2nd Oct. 1875		
Wentworth	Ancient Order of Foresters' Friendly Society	23rd April 1875		
"	Court "Maple Leaf," No. 5690, of the Hamilton United District of the Ancient Order of Foresters' Friendly Society	2nd June 1875		
"	The Methodist Episcopal Book Room and Printing Society of Canada	10th Feb. 1875		
"	The Valley City Lodge, No. 117, I.O.O.F., Dundas	17th Mar. 1875		
York	The National Club	25th Sept. 1874		
"	St. Vincent of Paul	4th June 1875		

I. R. ECKART,
Assistant Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, 1st February 1876.

(No 57.)

Copies of all Correspondence between the Government, or any member thereof, and any official in the employment of the Government with respect to the steps that have been taken for the purpose of obtaining a supply of water for the London Lunatic Asylum (*Not Printed.*)

REPORT

Of Chief Justice Wood, respecting Claims made to Reward offered for Apprehension of the Murderers of Thomas Scott.

Presented to the Legislative Assembly by Command of His Honor the Lieutenant-Governor.

S. C. WOOD,
Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, February 1st, 1876.

Copy of an Order in Council approved by His Honor the Lieutenant-Governor the 20ht day of January, 1876.

The Committee of Council have had under consideration the annexed Report of the Honourable the Attorney-General, dated the 13th January, 1876, with reference to the apportionment of the reward of $5,000 offered by the Ontario Government to such person or persons as might be instrumental in bringing to trial the murderers of the late Thomas Scott, and advise that the said Report be acted upon.

Respectfully submitted.
(Signed) O. MOWAT,
Chairman.

(Signed) J. G. SCOTT,
Clerk Executive Council.
15th January, 1876.

TORONTO, 13th January, 1876.

The undersigned has the honour to submit for the consideration of the Lieutenant-Governor in Council the accompanying Report of the Honourable E. B. Wood, Chief Justice of Manitoba, who, by Commission, dated 6th September, 1875, was authorized to cite before him such persons as claimed to be entitled to share in the reward of $5,000 offered by the Province of Ontario, to such person or persons as might be instrumental in bringing to trial the murderers of the late Thomas Scott, and also the evidence returned by the Honourable the Chief Justice, with his Report.

The Chief Justice reports that on Wednesday, the 22nd day of September, 1875, at the Court House, in the City of Winnepeg, pursuant to public notice in that behalf published in all the newspapers in Winnepeg, namely, the *Free Press*, the *Nor'-Wester* and the *Standard*, he opened the Commission, and proceeded with the investigation, having previously caused to be mailed to each of the claimants a notice that the inquiry would be proceeded with at the said place, at 11 o'clock A.M. of the said day.

Mr. Wood recommended that the said reward be apportioned amongst the following parties, and in the following proportions:—

William A. Farmer	$2,000 00
Francis E. Cornish	400 00
C. B. Thibaudeau	400 00
Leon Dupont	330 00
John S. Ingram	330 00
Edward Armstrong (Sheriff)	330 00
John A. Kerr	330 00
George M. Young	300 00
Thomas Hughes	290 00
H. W. Smith	290 00

—subject to a ratable deduction of the costs and expenses of the Commission.

The parties above-named are the only parties who claim to be entitled to any portion of the said reward, and they all, before the hearing was commenced, signed an undertaking agreeing to submit their several claims to the investigation and report of the said Chief Justice, as Commissioner as aforesaid, and to the final decision (under the evidence to be taken under the said Commission, and the Report thereon by the Chief Justice) of the Lieutenant Governor in Council of this Province, and agreeing to be bound by such final decision.

The undersigned, upon consideration of the evidence, is of opinion that the division recommended by the Chief Justice is just and equitable, and that the said parties are entitled to claim the payment of the amount of the said reward so offered.

The undersigned therefore respectfully recommends that each of the said parties be declared entitled to receive the amount set opposite his name as above, less a discount of six per cent. to be deducted therefrom, in order to defray the expenses of the inquiry.

The undersigned further recommends that the sum of $5,000 be inserted in the supplemeneary estimates to enable the Lieutenant-Governor to pay the said sums, and that the sum of $300 be allowed to the said Chief Justice for his services and disbursements in executing the said Commission.

(Signed) O. MOWAT,
Attorney General.

Commission appointing the Hon. EDMUND BURKE WOOD *to inquire into the various claims made to the reward offered by the Ontario Government for the apprehension of the murderers of one* THOMAS SCOTT.

Recorded this 7th day of September, A.D. 1875.
Liber I, G.S., Folio 316.

JOHN F. C. USSHER,
Deputy Registrar of the Province of Ontario.

D. A. MACDONALD.

Canada, Province of Ontario.

VICTORIA, *by the Grace of* GOD, *of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., &c., &c.*

To the Honourable EDMUND BURKE WOOD, Chief Justice of the Province of Manitoba.

GREETING:

Whereas, in pursuance of an Order in Council of 1st day of August, one thousand eight hundred and seventy-five, an advertisement was inserted in the *Standard* and *LeMetis* newspapers, published at Winnipeg, in the Province of Manitoba, requiring such persons as claimed to be entitled to the reward offered by the Province of Ontario, to such person or persons as might be instrumental in bringing to trial the murderers of the late Thomas Scott, who was murdered in the month of March, A.D. 1870, near Fort Garry, or to any

portion of such reward, to transmit their claim, accompanied with evidence of what action they had taken, entitling them to the said reward, or to share therein, to the Honourable the Provincial Secretary, within two months from the date of such advertisement, and giving notice that in the event of the failure of any persons to transmit their claim as aforesaid, they would be barred from all right to participate therein; and whereas the time limited by the said advertisement has now elapsed and various persons have filed claims to the said reward or portions thereof; and whereas the said claims cannot be satisfactorily disposed of except upon a hearing in the presence of the contending claimants:

Now know you, that reposing confidence in the loyalty, integrity, zeal and ability of you the Honourable Edmund Burke Wood, the Chief Justice of Manitoba, We do by these presents nominate, constitute and appoint you, the Honourable Edmund Burke Wood, as our Commissioner, authorizing you to cite the said claimants and any others of whom you may, prior to the hearing, be notified, to appear before you and to adduce the evidence in support of their respective claims. And we do hereby require you, the said Commissioner, to report for our information such evidence, and your opinion as to the rights of the respective claimants.

In Testimony Whereof, we have caused these Our Letters to be made Patent, and the Great Seal of Ontario to be hereunto affixed: Witness, The Honourable Donald Alexander Macdonald, Lieutenant-Governor of Our Province of Ontario, at Our Government House, in Our City of Toronto, in Our said Province, this 6th day of September, in the year of our Lord one thousand eight hundred and seventy-five, and in the thirty-ninth year of our reign.

By command,

R. S. BRODIE,
Acting Assistant Secretary.

O. MOWAT,
Attorney-General.

On Wednesday, the 22nd day of September, I opened the Commission in Winnipeg, pursuant to public notice published in all the newspapers in Winnipeg, namely: The *Free Press*, the *Nor'-Wester*, and the *Standard*.

Mr. Cornish appeared for himself, and preferred a claim to participation in the reward. Claim filed.

Francis Evans Cornish being sworn, saith as follows: I came to this Province in the early part of the month of July, 1872—that is, on the 4th July. I found a great deal of dissatisfaction among the English-speaking portion of the people, because of the inaction in taking proceedings to arrest the murderers of Thomas Scott. In fact the whole administration of criminal justice was very much criticised by the same class of people, and in it they had no confidence, and were of opinion that their rights were not protected by law, and by those who had the administration of it. I was frequently spoken to as to the right of taking proceedings against the murderers of Scott, and I found that there was a strong conviction in the minds of many, that as the crime was committed before the transfer of Rupert's Land, no proceeding could be taken except by the Imperial authorities, who alone had cognizance of the matter; and this opinion seems to have originated with, and to have been enforced by, the officials having the administration of the Government and of the law; and I was informed, and I believe, that such a *dogma* or *proposition* was formally affirmed by the Legislative Assembly; and this conviction was not removed until the arrival of the Chief Justice, and his elaborate judgment in the case of the Queen against Lepine, on the plea raised in that case to the jurisdiction of the Court: That judgment settled the question. In these conversations the propriety of taking action was frequently discussed, but the proposal was always met with the remark—"that it would do no good, and would be useless, because it was supposed the officers of the law would not act, or if they did, they would act in such a way as that the ends of justice would be defeated;" and in proof of this it was mentioned that a warrant had previously been issued for the arrest of Riel and Lepine, but that it had been suppressed by Governor Archibald and his then Attorney-General, Henry J. Clarke, or some one acting under them. I was

frequently spoken to by those who had been prisoners of the rebels, in respect to their civil rights, in regard to property taken from them, and other wrongs done them, and advised them they had legal remedies if the parties who did the wrong could be made to answer an execution in a Court of Justice. But no action was taken, for no one had any faith in the court or judges. This state of things continued till the autumn of 1873, when a report was current that Riel was to be brought into Winnipeg to give evidence against a man by the name of Buchanan, who was indicted for having at some prior time attempted to arrest Riel; and that Riel was to be protected by a hundred armed half-breeds. Several of us met, and we talked over the report, and debated whether or not the occasion should not be seized to effect the arrest of Riel and the other murderers of Scott. We looked upon this proceeding against Buchanan and the bringing of Riel in, for the purpose of supporting the indictment, as flaunting in our faces the murder of Scott, as a menace and defiance. This was about the month of September, 1873. Several met in my office. Forcible resistance to such action on the part of the authorities was freely spoken of, and seriously contemplated. We knew in this we would be supported by a large majority of the English-speaking people of the Province. At first in my office in the evening were Mr. Stewart Mulvey, Mr. H. W. Smith, Thomas Hughes and W. B. Thibaudeau. In our discussion as to what should be done, the question of the issuing of a warrant came up. The great fear and difficulty was—we could not get a warrant. Some proposed applying to one, and some to another, but it was concluded the persons mentioned would not act as magistrates and issue the warrants. I said the foundation of any proceeding for a warrant must be an information, and on oath, and it was best, if it could be done, to get one of those who had been prisoners to lay the information, and Joseph Crowson, who was a messenger or caretaker of the Legislative House, was suggested, as he had been a prisoner, and after his release was known to have been kind to the prisoners remaining in the Fort. Messrs. Hughes and Thibaudeau, of our party, went for Crowson, who came with them to my office. I explained to him our object in sending for him. He expressed his approval of the movement, but felt indisposed to lay the information—as it might cause the loss of his situation—if any one else could be got; but, failing to find any one else, he would do it, be the consequences what they might. He waited in my office to see if any one else could be got, when some one said Mr. W. A. Farmer, from Headingly, was at the Gerald House, who had been a prisoner at the Fort, and who if seen would most likely lay the information, and some of our party, Messrs. Thibaudeau Hughes and Smith went for him, and shortly returned with him, who, on the matter being explained to him, said he would lay the information, and we then discussed to whom we should apply for the warrant. Some mentioned Judge Betournay, who was then and is now police magistrate. Others said he would not sign it. Some mentioned Dr. O'Donnell. Some said he would not sign the warrant. I said he would. It was finally arranged we should go to Dr. O'Donnell. I then drew up or prepared the information and warrant, of which a fair copy was made by Mr. Thibaudeau, my partner, and when ready Mr. W. A Farmer and myself went to Dr. O'Donnell's house and found he had gone to bed. We called him out of bed, and explained the object of our visit, and asked him to take the information of Mr. Farmer and issue the warrant. He read over the information and warrant, and asked me, as his solicitor, if they were all right and in due form. I said yes, and he then swore Farmer to the information, and signed and issued the warrant, directed against Louis Riel, Ambroise D. Lepine and others. Mr. Farmer and myself returned to my office, where we found the parties I have mentioned waiting for us, to see what would be the result of the application for the warrant, the obtaining of which was regarded by all as a great triumph, and what few expected could have been obtained. We then went in search of the sheriff, and met him at the club house, and explained to him we had the warrant, and wanted him to execute it that night. He promised to do so. I gave him the warrant on the understanding that he was to take it and execute it that night, and I supposed he would do as requested. The next day, or the day following, I saw the sheriff, and I had a severe altercation with him because he had not executed the warrant. His excuse was, the night the warrant was given to him he had searched Bannatyne's and Cunningham's houses, where it was rumoured Riel was. I was suspicious of the sincerity of the sheriff. I told him so, and I demanded he should at once execute the warrant, or hand it to me and I would get some one to execute it. I was fearful the effort would

prove abortive, as by that time it was noised abroad that the warrant was issued. The sheriff said he would have the warrant executed, and mentioned he would get Mr. John Ingram and others to execute it. On the night following the warrant was given to Ingram, who informed me he had it, and he was going to execute it, and he mentioned the names of the parties he had to go with him. I think they were John A. Kerr, Leon Dupont, besides the driver from the livery stable. On the following day after this, Lepine, I was informed, had been arrested, and was confined in one of the bastions at Fort Garry. Riel had not been arrested; but I was informed he could not be found at his residence, where John Ingram, to whom the sheriff gave the warrant, informed me he had gone and could not find Reil. Whether or not search was made in any other place I know not, but it was rumoured he was in or about St. Boniface at the time, where prior to this he and Lepine appeared at church and other public places as openly as anybody else, although I never saw either of them on the Winnipeg side of the river, except Lepine after his arrest. Riel not being arrested on the first warrant, and it being thought desirable to have different warrants in different hands, a second warrant was obtained from F. T. Bradley, a Justice of the Peace for the Province, which was given to John Ingram, the sheriff having taken from him the O'Donnell warrant after the arrest of Lepine. A third warrant was obtained from Mr. Justice Betournay, and given to Richard Powers; and I subsequently procured another, a fourth warrant, in consequence of information I had that Riel was going to pass through Toronto, which I forwarded to a party in Toronto. For all these warrants separate informations were taken and sworn to by Mr. Farmer. After the arrest of Lepine the preliminary examination of Lepine was proceeded with. Mr. Farmer appeared as prosecutor, and gave evidence; and he did all he could to suggest and have brought forward witnesses against Lepine. I attended to prosecute as a barrister, although I was retained by nobody; and Mr. Farmer was there, I believe, every day, doing all he could. The preliminary examination lasted from day to day for about three weeks; and a large number of witnesses were examined, and a large body of evidence collected. It was most difficult to find those who knew the facts willing to speak them out. At last, however, I thought enough evidence had been obtained to commit, and Lepine was committed accordingly—for which, of course, I was never paid anything, nor did I ask anything from any one; but I acted on my convictions of loyalty and right, and would do the same thing and twice as much more in the same direction at any time. It is quite certain that the apprehension of Lepine and the subsequent proceedings are all due and owing to what I have described as having taken place at my office. But for what then and there took place I do not believe Lepine would have been arrested, or any of the subsequent proceedings against the other murderers would have followed. I was retained to, and did, conduct the case for the Crown on the trial of Lepine, and also on that of André Nault, for the preparation of both of which cases Mr. Farmer lent me valuable assistance in getting up the cases, and at the trials he was the first witness; and he sat by me and assisted me almost constantly throughout the trials. He did all he could, and spared neither time nor trouble in the matter, Others also assisted with the information at their command, but Mr. Farmer of course appeared, and was in fact known to be, and was the public prosecutor. I put in copies of letters to and from the Attorney-General of Ontario, marked "A." and "B."

(Signed) F. Evans Cornish.

Stewart Mulvey, being sworn, says: I came to Manitoba on 31st Aug., 1870, and have been here ever since. There was great excitement and ill-feeling existing between the two parties here then—the English and the French. The former supposed the latter, with few exceptions, to be disloyal It was a sore conflict with the loyal men to restrain their feelings, seeing the rebels rewarded, and the murderers of Scott going unwhipped of justice, stalking about impudently and boldly amongst us. Delegations waited upon Governor Archibald requesting him to put the law in force, who were told by him that the law in this Province had no cognizance of the murder of Scott, or other crimes committed before the transfer of Rupert's Land and the Indian Territories to Canada. Informations were asked to be taken against the murderers of Scott repeatedly, and notably by one Charles Garrett; but no magistrate could be found to take the information or

issue the warrant, as all were instructed, as they stated, not to do so, as they had no jurisdiction over the offence. In illustration of this I will mention an occurrence which took place on Christmas or New-year's eve, just at the close of the year 1870. As I have mentioned, Garrett had for some time been trying to find some magistrate to take his information, and issue a warrant; but although he had applied, as he informed me, to every magistrate, they all declined. On this evening, one John James Setter, from the Portage, then a justice of the peace for Manitoba (now the deputy sheriff of the County of West Marquette), was in Winnipeg. I knew him. Garrett, at my instance, applied to him to take his information, and for a warrant. He consented to do as requested, but offered as an excuse that he had no forms. Garrett came to me and stated the difficulty. I had by me some old forms which I had brought from Ontario, soiled on the way, yet legible. From these I drew up a proper information and a proper warrant, and gave them to Garrett, who took them to John James Setter, who took the information on oath, and signed the warrant, and gave the warrant to Garrett, who delivered it to Captain Frank Villiers, who was then the Chief of the Provincial police, under Governor Archibald, to be executed. The warrant was for the arrest of Louis Riel, I think, alone. It may have been also against Ambroise D. Lepine and others, but I cannot state positively as to this. Garrett immediately informed me of what he had done. On that evening there was to be a *fete* in St. Boniface Cathedral, over the river, at which it was well known would be Riel, Lepine and the others, murderers of Scott, and it was intended the warrant should be executed on them that night; and Villiers was instructed so to execute the warrant I told Garrett Villiers would not execute the warrant, and if he doubted me, to watch and see if he went over to the Cathedral. He did so, and shortly after he gave the warrant to him he saw him jump upon a horse, and gallop up and pass into the Fort, into the residence of Governor Archibald, where he remained some time. No arrest, nor any attempt at arrest, was ever made under that warrant; and the warrant was never heard of after, except that I think in 1872, in the House of Commons, the question came up incidentally, and the substance of the above facts stated, or the fact of the suppression of the warrant by Governor Archibald, when Sir John A. Macdonald admitted that Governor Archibald had suppressed the warrant, and offered as an excuse that the warrant commanded the peace officer to take the bodies of the murderers of Scott, *dead or alive*. I know this excuse to be without foundation. The warrant was not, I think, so worded, but I speak from memory; still it may have been so worded, but that was not the reason for its suppression, even if it were so. It was wantonly, and in violation of the most sacred right of the subject, to set the criminal law in motion, suppressed by Governor Archibald, under whom Mr. Villiers held his office. This incident indicates the state of the officers and officials in Manitoba until a very recent period. It is therefore no wonder the murderers of Scott went free so long after the commission of the crime, as the Attorney-General, and the Governor, and other officials were consorting with and protecting them from the honest individual action of Her Majesty's loyal subjects, who desired to bring them to justice and punishment. During 1871 and 1872, not a month passed hardly without some effort being made to secure the arrest of the murderers of Scott. Afterwards, prior to the 13th of September, 1873, there was a rumour that Riel was summoned to give evidence against one Buchanan, who was indicted, as was alleged, for having attempted to arrest Riel, and that Riel was coming under the protection of one hundred armed men to give evidence at the trial. I made inquiry of half-breeds to find out if it was true, and ascertained that on that morning thirty armed men were seen around Riel's house. The people in Winnipeg believed it, and prepared to accept the challenge and repel Riel and his guard. Excitement ran so high we did not consider ourselves safe. I met Mr. Thibaudeau and talked over the matter, and we concluded we would see Mr. Cornish, and went to Mr. Cornish's office. It was deemed advisable to get the attendance of others, and a meeting was held, composed of Messrs. Cornish, Thibaudeau, Hughes, Smith and myself. A discussion took place at the meeting whether the people here should arm themselves to protect themselves. I suggested that if Riel came with his half-breeds, we should fight it out to the bitter end; and if he did not, then we should then and there take steps to have him arrested, and the others implicated in the murder of Thomas Scott. All there decided this should be done; and Mr. Thibaudeau and some other one was sent for Crowson; but, as explained by Mr.

Cornish, he was excused from the laying of the information. Mr. Farmer was then mentioned, he having been a prisoner, and he was procured, and cheerfully entered into our arrangement, laid the information, and assisted in the preliminary examination and at the trial, as Mr. Cornish has mentioned in his deposition. I have no doubt that the arrest of Lepine and all the subsequent proceedings are solely due to what was done at the meeting at Mr. Cornish's office, as I have mentioned. The difficulty was to get persons to move who were fearless and who knew what to do, and who were determined it should be done. The gentlemen composing that meeting were of the character I have named. Mr. Cornish, from his well-known views, felt strongly on the subject, and besides he was a lawyer of standing, and no doubt greatly strengthened the application to the Honourable Dr. O'Donnell for the warrant. And the warrant having been given to the sheriff was followed up so closely by these men that it could not be well left unexecuted, whatever may have been the views or feeling of the sheriff on the subject. I do not think the reward at that time influenced a single man who acted in the matter. No allusion whatever was made to it. All were, I am convinced, actuated solely by loyalty, and a sense of right and justice in the premises. I recollect shortly before the meeting at the office of Mr. Cornish, Mr. John Ingram spoke to us about having Riel and Lepine arrested. He proposed to get Mr. John Taylor, of Headingly, a Justice of the Peace, to come down, and Mr. Farquharson to come down from House's Hotel and lay the information, and that he was going to the Portage and would see them and make the arrangement with them. This is all I know about the matter. I know that he was one of the parties who arrested Lepine, along with Dupont and Kerr.

(Signed) STEWART MULVEY.

William B. Thibaudeau, being sworn, saith: I came here in the autumn of 1871, from Kingston. I am a barrister, admitted in Ontario, and am a graduate of the University of Queen's College, and have taken the degree of Master of Arts. I have been and am now practising my profession. I have heard the evidence given by Mr. Cornish and Mr. Mulvey. I confirm what they have stated. The origin of the meeting was in this wise: John Ingram told me Riel was to be in town, to be concealed, as he thought, in Bannatyne's and Cunningham's house, and he said it was about time something was done. He was to appear at the Court, which was just then at hand, as a witness against Buchanan, who was indicted for attempting to arrest Riel some time before. I was then in partnership with Mr. Cornish, and before doing anything I, of course, consulted him. The reason no proceedings were taken against the murderers of Scott was that Governor Archibald set his face against it; and as he was his own minister, and every officer in the Province held his position at his pleasure, no one dared to act. This state of things continued down to the departing of Governor Archibald, and after Governor Morris succeeded him, in the autumn of 1872, to the time of the proceedings taken in the office of Mr. Cornish. We thought an end should be put to this public scandal, and that British justice should be vindicated, and that the material interests of the people should not be kept back by this great blotch on the fair fame of the country, deterring loyal men from coming to and settling in it. The difficulty was great. No constable could be got to act, for there were none except those directly under the control of the Government, and, as the sequel showed, the sheriff would not have acted had he not been forced to do so. As it was, Riel escaped. Had he done what he might have done, no doubt Riel would have been arrested. As it was, Dr. O'Donnell was immediately dismissed from the commission of the peace by Governor Morris, who, like his predecessor, Archibald, was his own Prime Minister, and responsible for every act of his administration. And from this it may be more than conjectured what were the difficulties surrounding any movement in the direction of bringing the murderers of Scott to justice. I recollect John Ingram speaking to me about arresting Riel a short time before the meeting in Mr. Cornish's office. He said he had met him about five miles from Winnipeg on that day, going towards St. Norbert. He seemed very anxious for his arrest, and I have no doubt now, had the sheriff given *him* the warrant when he first got it, he would have arrested Riel. As it was, he did not get the warrant till the next evening after the sheriff received it. I fully confirm all that Mr. Cornish says. He spoke to the sheriff about his not executing the warrant, and about his playing fast and loose about it. At the time the warrant was given to

him assistance was offered him, but he declined it, and after keeping the warrant for nearly twenty-four hours doing nothing under it, he was, by Mr. Cornish upbraiding him, forced to give it to John Ingram, who did all he could to execute it on Riel, but was too late, for he had fled—but who, with Dupont and Kerr, arrested Lepine. I am satisfied, had it not been for the action of the meeting and of the persons met at the office of myself and Mr. Cornish, Lepine would not have been arrested, nor would the subsequent proceedings against the murderers of Scott have taken place. I was present with and assisted Mr. Cornish at the preliminary examination of Lepine, and continued my efforts until he was fully committed for trial.

(Signed) W. B. THIBAUDEAU.

THURSDAY, 23rd September, 1875.

The Honourable *John H. O'Donnell*, M.D., being sworn, says: I am a doctor of medicine, and came here on 3rd November, 1869, and have been since I have been here practising my profession. In or about March, 1871, I was made a member of the Executive Council, and am such still. Shortly after I was made a Legislative Councillor, I, with the other members of the Council, was made a Justice of the Peace for the Province of Manitoba. On the evening of the 15th September, 1873, I was applied to by Mr. Cornish and Farmer to swear Mr. Farmer to an information, and issue a warrant against Riel, Lepine and others, the alleged murderers of Thomas Scott, at Fort Garry, on the 4th March, 1870. The information was ready, as was also the warrant. I read the information and warrant, and asked Mr. Cornish, knowing him to be a legal gentleman (and telling him he must recollect he was my lawyer), if they were in due form; and he informed me they were. I then swore Mr. Farmer to the information in due form, and signed the warrant, and then handed them back to Mr. Cornish.

On the following day, the 16th September, Joseph Dubuc, a member of the Assembly, and a leading member of what then was called here the "French party," and the apologist and defender of the murderers of Scott, called on me and asked me why I had issued the warrant. I answered I did not see why I should not, as a proper information was sworn to, and I had no reason to doubt the truth of the statements in the information. He asked me if I had read it. I said, "Yes, certainly." He said, "It is very regretable." I do not remember that I made any answer to this. He then left. Either the next day or the day after I was informed by Mr. Cornish that Mr. Dubuc had reported that I had said to him, "I had not read the information or warrant." I told him it was false, and I now say and repeat, "if Mr. Dubuc has said anything of the kind it is wholly false; wholly untrue." Mr. Dubuc was then, and is now, a partner in the law office of Mr. Royal, the then Provincial Secretary, and now the Minister of Public Works.

On the 16th of October following, on looking over the official *Gazette*, I noticed that my name was struck from the Commission of the Peace in the insulting terms: "*John H. O'Donnell is hereby dismissed from the Commission of the Peace of the Province.*"

Prior to seeing the above notice I had no intimation directly or indirectly that any charge had been made against me, or any such high-handed and unwarrantable proceedings against me were in contemplation. I had acted in no matter in a magisterial capacity for a long time prior to my being dismissed as aforesaid, except in taking the information and issuing the warrant I have mentioned. In fact I seldom ever acted as a magistrate except occasionally in taking and administering an oath or in taking an affidavit. I have no doubt I was dismissed from the Commission of the Peace solely and only because I took that information and issued that warrant.

Mr. Archibald resigned his position as Lieutenant-Governor in or about the latter part of the summer of 1872, and Lieutenant-Governor Morris, the present executive head of the Government, assumed the gubernatorial office in or about the autumn of the year 1872. During Governor Archibald's administration, and since then the administration of Governor Morris (a change was said to have taken place in this repect last autumn, when it was alleged responsible Government was introduced, with Mr. Davis as Premier). Mr. Archibald and, after him, Mr. Morris were their own Prime and First Ministers, and directly responsible for every act of the Government. At all events, in September, 1873, at the time I issued the warrant against the murderers of Scott, Mr. Morris was his own First Minister, and responsible for every act of the executive Government. I therefore, on

seeing the notice of my dismissal, to which I have referred, went directly to Mr. Morris, and I asked him the cause, stating that I had come to him as he alone was responsible for the act. He said he would not discuss that question with me. He declined giving me any information as to the cause, and said he supposed the official organ of the Government was the Provincial Secretary, through whom it was open to me to seek the information asked for. I accordingly addressed a note to the Provincial Secretary, of which the following is a copy:—

(No. 1.)

WINNIPEG, October 18th, 1875.

SIR,—In reading the Manitoba *Gazette* of the 16th, I notice my name is struck from the list of Justices of the Peace for this Province, I have the honour to ask what reason the Government had for taking this step.

Yours truly,
(Signed) JOHN H. O'DONNELL.

To the Hon. Joseph Royal,
Provincial Secretary.

To which I received the following reply:—

Answer to No. 1.

PROVINCIAL SECRETARY'S OFFICE.

To the Hon. J. H. O'DONNELL,
Winnipeg.

SIR,—I have just received your note of to-day. In answer, I have to inform you that your demand with regard to the reason of your name being struck from the list of J. P.'s will be placed under the notice of the Executive Council at its first meeting, when I will be able to communicate to you the decision of the Government.

I have the honour to be,
Sir,
Your very obedient servant,
(Signed) J. ROYAL,
Provincial Secretary.

Receiving no further communication from the Provincial Secretary, I again wrote him, as follows:—

(No. 2.)

WINNIPEG, October 20th, 1873.

SIR,—Yours of the 18th is before me, in which you say my letter to you of October 18th will be placed under the notice of the Executive Council at its first meeting, when you will be enabled to communicate to me the decision of the Government. I have the honour to request the date of that meeting.

Yours truly,
(Signed) JOHN H. O'DONNELL.

To the Hon. Joseph Royal,
Provincial Secretary.

I addressed the following letter to the Provincial Secretary, resigning my office as coroner:—

(No. 3.)

WINNIPEG, October 22nd, 1873.

SIR,—I have the honour to tender my resignation as Coroner for the County of Provencher, which I trust you will lay before the Governor in Council at your earliest convenience.

I may add that having this day received instructions from Daniel Carey, Esq., Clerk of the Crown and Peace, to proceed to hold an inquest into the death of one Benjamin Marcham, jun., and in view of having been recently dismissed from the Commission of the Peace for the Province without any charge or reason being communicated to me, I feel it to be unbecoming in me to continue to act as an officer of the present Government, and consequently have determined to tender my resignation as Coroner for Provencher.

Yours truly,
(Signed) JOHN H. O'DONNELL.

To the Hon. Joseph Royal,
Provincial Secretary.

Letter of D. Carey, referred to in the above.

(No. 4.)

OFFICE OF THE CROWN AND PEACE,
WINNIPEG, October 22nd, 1875.

JOHN H. O'DONNELL, M. D.
Coroner, Provencher.

SIR,—Information has reached this office that a man has died, named Benjamin Marcham, jun., near the Custom-house, on the frontier, from wounds received at the hands of one Michel Godin, at Fawcett's, in Dufferin, on the 10th instant. The man died yesterday. He has been attended in his illness by the military surgeon of the post on the American side of the line. Will you please hold the necessary inquest into his death?

Yours truly,
DANIEL CAREY,
Clerk of Crown and Pleas.

P. S.—Sub-Chief Powers and officer Ingram will be there, and make any necessary arrests.

Letter to the "Free Press" referring to the above.

(No. 5.)

WINNIPEG, October 25th, 1873.

To the Editor of the "Free Press."

As you will have seen by the Manitoba Official *Gazette* that I have been dismissed from the commission of the peace for the Province, and as I have demanded of the Government reasons for such a step, and they have not thought proper to comply with what I must consider a reasonable request, I am bound to assume it to be for issuing a warrant for the arrest of Riel, Lepine and others, and enclose you full particulars, that you may lay the matter before the public, that they may judge for themselves, and as a warning to other justices of the peace as to what they may expect in case they issue a warrant for any of those charged with being implicated in the Scott murder, and with whom the Government would appear to be in collusion.

I enclose you a letter which I received from Mr. Daniel Carey, Clerk of the Crown and Peace, instructing me to hold an inquest touching the death of one Marcham. I have felt it my duty to refuse to continue to act as an officer of a Government which is neither respected nor respectable, and I have tendered my resignation, a copy of which you may publish if you think proper.

Yours truly,
(Signed) JOHN H. O'DONNELL.

Second Letter to the "Press" referring to the above.

(No, 6.)

WINNIPEG, January 6th, 1874.

To the Editor of the "Free Press."

In the Manitoba Official *Gazette* of December 24th I notice His Honor the Lieutenant-Governor in Council has been pleased to dismiss me from the office of coroner for the

County of Provencher. There may be a few people in the Dominion who know that Manitoba contains five persons called by some a Government, who know nothing of the character of the men so designated. I will feel obliged for space in your paper to put the public in possession of the facts of the case. On the 16th October, when, by the same power my name was struck from the commission of the peace of the Province, I at once called upon His Honor the Lieutenant-Governor to know to whom I should appply for the Government reason for this unusual and iniquitous proceeding.

I may here mention my reason for calling upon his Honor was, there was no recognized Premier. Hitherto, when any deputation by appointment waited upon the Executive, there was, as a rule, found no person to receive them but the Attorney-General, who on nearly all occasions resolved himself into a Committee of the Whole, as was done when the Incorporation Committee waited upon that "august body." His Honor the Lieutenant-Governor said the Provincial Secretary was the mouthpiece of the Government, and would doubtless give me the desired information.

On the 18th of October I addressed the Hon. Provincial Secretary, asking him the Government reasons for cancelling my commission of the peace. In reply, I was informed by that functionary that my letter would be placed under the notice of the Executive Council at its next meeting, when he would be enabled to communicate to me the decision of the Government. On the same date I again addressed the Hon. Provincial Secretary, asking the date of the next meeting of the Executive Council, but received no reply.

On the 22nd of the same month I received written instructions from Daniel Carey, Clerk of the Crown and Peace, to proceed to the parish of St. Agathe, near the frontier, to hold an inquest into the death of one Marcham. Feeling the recent cancelling of my commission of the peace to have been an act of the grossest injustice to myself, done purely and from no other motive than to satisfy personal malice, I felt it would be degrading in me to continue to act as a Government officer, whose members are lost to every principle of justice and fair dealing, and at once tendered my resignation to the Provincial Secretary as coroner for the County of Provencher.

Since the date of my resignation, on October 22nd, 1873, I have heard nothing until the Manitoba *Gazette* of December 24th appeared, in which you will find the name of Dr. J. H. O'Donnell dismissed from the office of Coroner for the County of Provencher. The above are the facts, and I will leave the public to judge for themselves as to the justice of the Government. In your issue of October 25, you will find there what I assume to be the outrage. The Government have never and do not dare make their reasons public, for the simple reason they have none.

(Signed) JOHN H. O'DONNELL.

My resignation was not accepted, but I was, in a subsequent Official *Gazette*, dismissed from the office of coroner for the County of Provencher.

(Signed) JOHN H. O'DONNELL.

Thomas Hughes, being sworn, says: I was one of the party who met at the office of Mr. Cornish, and mentioned by him. I heard his evidence and that of Mr. Thibaudeau, and I say that the statements in their depositions respectively contained are correct and true. I came to Manitoba in 1870, as a volunteer in the first expedition. I fully agree with Mr. Cornish and Mr. Thibaudeau as to the corrupt conduct of the officers of the law, and the want of confidence in the administration of justice. However much disposed the loyal people might be to have justice done, they were powerless, as the Executive Government and all officers under it were adverse to justice being done, and everything that could was put in the way of a proper administration of justice, from the Governor down to the lowest constable and policeman.

(Signed) THOMAS HUGHES.

Hugh Walter Smith, being sworn, says: I came to Manitoba in April, 1872, and have been here ever since. I had a brother here before me; he is here now. He is at present keeping a store in St. James's parish, and is a postmaster. At present I am out of employ. I am about twenty-five years of age. I attentively listened to the evidence

of Messrs. Cornish and Thibaudeau, and I say the statements contained in their depositions are true. I was one of the party referred to by Mr. Cornish and Mr. Thibaudeau as having arranged for the issue of the warrant and the arrest of the murderers of Scott. I aided the movement all I could. It succeeded as to the arrest of Lepine and subsequently of Nault. I do not think but for that meeting either Lepine or Nault would have been arrested. Prior to that I frequently saw Lepine over the river at St. Boniface. He was going about like anyone else. I know he appeared here in the spring of 1873 on the Grand Jury, and was sworn in as a Grand Juror at the Court-house in Winnipeg,—Judge Betournay presiding.

(Signed) HUGH WALTER SMITH.

Wm. B. Hall, being sworn, says: I came to this country in the autumn of 1858. I was here during the rebellion. I live at Headingly, where I have a farm of about 1300 acres. I have under cultivation and fenced some two or three hundred acres. I was appointed a magistrate and one of the first commissioners of the peace. I was always opposed to the French movement, and only escaped imprisonment by fleeing. I took up arms against the rebels. I and the Honourable Donald Gunn and William Dease were the only loyal magistrates appointed by that Commission, as I now recollect. On that Commission many disloyal men were appointed. I, with others, presented to the Government a written protest against such appointments, to which we received a haughty and unsatisfactory reply, the Governor working himself into a great passion at our temerity, and beating the table with his clenched fist; at which we left in disgust. Some time after I was so appointed, as I have mentioned, I had, as a Justice of the Peace, two applications for warrants against the murderers of Scott. I told the parties I would consult the Provincial Secretary, as I understood the Government discountenanced anything of the kind, and I did not wish to act without the consent or permission of the Government. The parties who applied were—I am positive as to Walker, Davidson and Hyman, who applied together. This was one application. As to the other party, I think it was Wm. A. Farmer. This was, I think, in the year 1871—at what particular time I cannot say; but it was while Mr. Archibald was here. I saw the Provincial Treasurer, Mr. Thomas Howard, and stated the case to him. He equivocated and said he would advise me not to do it, as the Government did not consider that the Courts or the law here had any jurisdiction over the offence. The substance of this communication was that I was not to entertain any such applications. And I therefore did not, as I knew the officers of the law would not execute the warrant, and if executed, the Governor would at once order the discharge of the parties. I told the applicants it was useless to attempt to bring the murderers of Scott to justice until the Courts were differently constituted and the administration of justice was put beyond and above the executive Government. I heard of Lepine being sworn on the Grand Jury in the Court-house in Winnipeg, in 1873. I believe it to be a fact. It made me blush for the administration of British justice when I heard of it. This occurred while Mr. Morris was Governor.

(Signed) W. B. HALL.

Wm. A. Farmer, being sworn, says: I came here in September, 1869. I was here during the rebellion. I was a prisoner at the Fort for about five weeks. I was one of the party called the "Portage Party." We came down to liberate the prisoners then in the Fort, taken at Schultz's place. They were released, and we started home, but were treacherously intercepted and taken to the Fort prisoners. Scott was one of our party. While I was in prison Scott was taken out and shot. In the autumn of 1870 I was in Ontario on business, and went to Toronto to see Scott's brother, and he being absent I waited over one day, but as he did not return I left, although his wife was anxious I should wait longer and see her husband. After my return to Manitoba I received a letter from Scott's brother in Toronto, saying he thought it time some steps should be taken to bring the murderers of Scott to justice. I answered him the administration of justice and the attitude of the Government and the officers of justice were such that nothing could be accomplished; that I would take steps so soon as I thought I could accomplish anything. I think I received a subsequent letter on the same subject. Shortly after the Ontario Government offered a reward I entered into correspondence with Mr. Blake on

the subject of the arrest of Riel and Lepine, and made a proposition that I would procure a person and arrest them, and hand them over to the civil authorities here, as they passed my place weekly, both of them; but I stated I was of opinion they would not be brought to trial. He replied it would do no good unless they could be brought before a Court of competent jurisdiction. Previous to this, one Murray had applied to one Donald A. Smith, before Governor Archibald was sworn in, for a warrant for Riel and Lepine, and was refused. Many other attempts were made after Archibald was sworn in, but were abortive. The fact is the Government and all its officers systematically opposed any proceedings being taken and threw around the murderers of Scott the protection of the executive and judicial authority. In July, 1873, I met Attorney-General Clarke at Scrathing River, and was introduced to him. He commenced a conversation on the subject of the murderers of Scott, and stated if they were brought before the Court he would prosecute them to the best of his ability. I told him he was quite safe in saying so, as he knew no magistrate dare give a warrant. He then said he would appoint a magistrate who would give a warrant if I would name one. Some time after I asked John Taylor if he would accept the position of a magistrate if offered to him. He said he would not ask the Government for such a position, but would accept it if offered to him. I saw or wrote to the Attorney-General and asked him to appoint Taylor, and he said he would have him gazetted after the first meeting of the Council. On the morning of the meeting of the Council I asked Mr. Gordon to write to the Attorney-General to have Taylor appointed, and Taylor was gazetted as promised. From conversations with the Attorney-General I was led to believe that at this time he was antagonistic to the other French members of the Morris Administration, and that if proceedings were taken he would not be hostile, but would assist in the prosecution. In September, 1873, it was rumoured that Riel was to attend the Autumn Assizes of the Court at Winnepeg as a witness on the indictment found against Buchanan for having attempted to arrest Riel. I recollect Mr. Thibaudeau stating it would be a good time then to get out a warrant and effect the arrest. On the evening of the 15th September Thibaudeau came to me in the Davis Hotel, and suggested that I should lay an information. I told him that I knew John Taylor would grant a warrant, but I did not suppose any other magistrate would. We left in search of Mr. Cornish and found him at the Club House, and went thence to the office of Messrs. Cornish and Thibaudeau, and Thibaudeau wrote an information and warrant at the dictation of Mr. Cornish. We had quite a discussion as to what magistrate we should go to, and several were mentioned, and amongst them Taylor, Stewart and Dr. O'Donnell. I thought Dr. O'Donnell would not issue the warrant, and suggested Stewart or Taylor. Mr. Cornish said he was quite sure O'Donnell would do it, and so Mr. Cornish and myself went to Dr. O'Donnell. He was in bed, but we called him out of bed, and he read over the information and warrant, and said, "Can't you get some one else? This will ruin me in my practice over in St. Boniface." Mr. Cornish said he was only doing his duty, and he ought not to hesitate. He then said, "Well, you are my attorney. Is it all right?" And Mr. Cornish said "Yes, they are in due form. It is all right," or words to the effect and purport aforesaid, and then Dr. O'Donnell swore me to the information and signed the warrant. Mr. John Ingram met us in the drug shop of Dr. O'Donnell, and he wanted the warrant right or wrong to execute it. He said he would arrest the parties if he got the warrant. I was in favour of giving the warrant to Ingram, but Mr. Cornish said he had spoken to the Sheriff, and that he had promised faithfully to execute it, and he thought it best to give it to him. The warrant was immediately handed to the Sheriff that night, who promised faithfully to have it executed immediately. The next morning it was known all over town a warrant had been issued; but the Sheriff had made no arrest. On the morning of the 17th of September, Lepine was arrested at his house by John Ingram, who had with him Dupont and Kerr, but Riel was not arrested. He could not be found. He had escaped, and has not to the knowledge of any one been back since. Subsequently André Nault was arrested on a bench warrant. I laid informations before F. J. Bradley and Judge Betournay respectively, and warrants were issued, as has been stated by other witnesses. I attended as prosecutor on the preliminary examination, which took about three weeks, and I spent much time in looking up and getting witnesses, and evidence at the investigation, and I appeared as the prosecutor at the trial of Lepine and Nault, and assisted the Crown in getting up and preparing the

evidence and procuring the attendance of witnesses, a matter attended with much difficulty and labour. In the trials alone I spent about four consecutive weeks. I gave evidence as the first witness on the trial of Lepine. Being a prisoner in the Fort when Scott was murdered, my evidence was important. I was also examined as the first witness on the trial of Nault. I recollect that Messrs. Mulvey, Smith, Thibaudeau, Cornish, and Hughes seemed to be acting together in the matter. What they had said or done together, before they came for me, I do not know. I recollect seeing them all at the office of Messrs. Cornish and Thibaudeau. Mr. Cornish attended the preliminary examination of his own accord, and without any retainer from me or any one else in so far as I know. We received assistance from all the loyal men in the country, in the way of information, as to who could and who could not give evidence. But I had much difficulty in getting from the other party witnesses who would state who decreed the death of Scott, and who actually murdered him, but I at last found such.

(Signed) WM. A. FARMER.

Leon Dupont being sworn, says: I came to this country on the 28th November, 1871. I came up at the time of the Fenian raid, and have been here ever since. I am a native of France. I came to Canada in 1871. I am a Catholic. I remained with the force eight months, and was then discharged. I was then employed on what was then called the Provincial Police. That force has since been done away with. It was done away with immediately when Winnipeg was incorporated in the year 1873–1874. Louis de Planival was chief of the force. I was in the force four or five days, when he showed me a warrant against Riel, Lepine and O'Donoghue; it was an old warrant. He told me he got it from Captain Villiers. I offered to execute the warrant on Riel and Lepine. He said he dare not do it, as he was nominated to his position by Bishop Tache. On 22nd October, 1872, I was sent with two half-breeds to stay at St. Norbert by order of Attorney-General Clarke, to find out all about Riel and Lepine, and the murderers of Scott, and Père Richot's connection with it. One day I was talking with Père Richot about the arresting of the murderers of Scott. He said, "*What!* will you take the part of Orangemen? Instead of killing one, a dozen ought to have been killed." I reported this to Attorney-General Clarke. I saw Riel there almost every day. He was very frequently with Father Richot. I saw Lepine there occasionally, but not so frequently as Riel. De Planival was there once to see the police station. I asked him "had he that warrant?" At that time Riel was in Lemay's store. I proposed to take the warrant and arrest Riel. He said he could not do it without orders from Attorney-General Clarke. So Riel and Lepine were not arrested, or rather he did not order it. I pass over the time now to the 11th or 12th of September, 1873. One day I was called into his office by Mr. Clarke. He asked me if I was afraid to subpœna Riel. I said certainly not. In the afternoon I met the Sheriff, who gave me a subpœna for Janvier Richot, Paul Proulex and Louis Riel. The Sheriff told me to go with the subpœna next day, which would be a Sunday, to serve the parties. I went there exactly when the people came out of church. I saw and served Riel. He gave me his word of honour that he would come on the subpœna. He called some half-breeds together and told them that he was subpœnaed, and that he would obey the subpœna. They spoke up and said they would go with him. He said he was much obliged; he would go alone; he was not afraid. I did not find the other parties. This I should say would be about the 13th September, 1873. On Monday I went to Clarke's office, and told him that I had subpœnaed Riel. Clarke was angry because he was subpœnaed on Sunday, and said the Sheriff had spoiled the business by ordering the subpœna to be served on Sunday, a *dies non*. The Sheriff got new subpœnas, and another for Riel, in the place of the one served on the Sunday. On that same day, Monday, the 14th September, 1873, in the afternoon, I went to Riel's house, about four miles up the Red River. As I approached, I saw Riel go out of the back door. I went in and served some copies of subpœnas on his sisters and asked for Riel, and his mother said he was not at home; he had left in the morning, and she did not know where he was or when he would return. I left, so pretending, and watched the house from some bushes not far away, and after awhile, a quarter of an hour or so, I saw Riel go towards the house. I went into the house quickly without knocking, and I caught him and served him with the subpœna. He looked surprised and his mother cried. I asked him if he would come

and attend Court on the subpœna. He said "Certainly. He had given his word, and would come with one hundred men." I told him he might; the loyal people in Winnipeg would be enough for him. On Tuesday, the next day, the 15th September, 1873, I was in St. Boniface, in La Rivier's store, and there I saw Riel; he spoke to me, and said he would come to the Court if the Sheriff with a protection would meet him at the ferry. I told him both Clarke and the Sheriff had told me to tell him they would protect him. On the 16th of September I was in the office of Clarke, and he asked me if I knew where Lepine lived. I said, "Yes." The Sheriff was then in Clarke's office, and heard what was said. The Sheriff was twice at my boarding-house for me that night, but he found me at "The Pride of the West," and he took me into a private room, and showed and explained to me the warrant to arrest Riel and Lepine, and asked me if I would like to go. I asked him who would go with me? He said, "John Ingram." I said I was willing. About ten o'clock, Ingram, myself, and Kerr started in a waggon, one Sinclair being the driver. It rained heavily and was awfully dark. It took us nearly all night to get there. We were obliged to halt for daylight. We arrived at Riel's place about four o'clock, and found he had escaped. There was one half-breed close by, and we arrested him, so that he would not take word to Riel, but all to no purpose. Riel was gone. His mother was there, his sisters, and two or three half breeds. We left for Lepine's house. We found him sitting, as if, as I thought, undressing; appearing as though he had been out, and was just preparing to take a sleep. Ingram arrested him. He at first seemed disposed to resist, and said in French he could take Ingram and myself, and knock us together like two balls, and smash us to pieces. I said to him in French he had better not try it, as Ingram had shot three men three days before. I said to him, "You have a wife and child, and had better come quietly." We all had weapons, which he could see. He then said he would go, and dressed himself and came with us. A mile from St. Boniface I put the irons on one of his legs, and on one of mine. He objected a little to this, but I expostulated with him, and at last he took it amicably, and we brought him to Fort Garry, and delivered him over to the Sheriff. I afterwards was along with Ingram at Point du Chêne looking for Riel, and at other places, but could not find him. I went to Père Richot, but could not find him. Father Richot did not receive me very cordially. From my action in this matter my countrymen and the French half-breeds have ever since persecuted me with great virulence, and refused to deal at stores where I have been employed as clerk. Indeed, they have tried in every way to ruin me and starve me, and I find it difficult on account of this persecution to find employment. For two or three nights after the arrest of Lepine my life was in danger, and for safety the Sheriff ordered me to come and sleep in his office.

(Signed) LEON DUPONT.

Edward Armstrong, Sheriff of the Province of Manitoba, sworn for himself says: On the 15th Sept., 1873, about the hour of eleven o'clock at night, a warrant was placed in my hands against Louis Riel, Ambroise D. Lepine and others for the murder of Thomas Scott, at Fort Garry, on the 4th March, 1870. The warrant was issued by Dr. O'Donnell, a Justice of the Peace residing at Winnipeg, in and for the Province of Manitoba, and a member of the Legislative Council. The warrant was handed to me by Mr. F. E. Cornish. I think he said to me—"Will you execute this warrant this night?"—I think I answered "Yes." The reason I so answered was from private information I had every reason to believe that Riel would have crossed the river from St. Boniface that night, and would have been secreted at a certain house in Winnipeg which I knew. Within half an hour after my receiving the warrant I took John Ingram, who was then my bailiff, and proceeded to the house of the late Robert Cunningham. I left John Ingram at the outside door, and I went up the upper stairs into the dwelling-house of Cunningham (which was the upper part of his printing office building), and found a light in one of his rooms. I took the light and knocked at what I knew to be Cunningham's bed-room. I was answered by a voice from within which I knew to be that of Mrs. Cunningham, "Who is there?" I answered it is the Sheriff of Manitoba; I want to see Mr. Cunningham particularly—and with that I opened the door and walked in I found no one in the bed-room except Mrs. Cunningham and a child. I apologized and left the room and went into the sitting-room, and then went into the next bed-room, in which were sleep-

ing the children and servant girl. There was another room adjoining, a sort of storeroom, in which I looked but found no person. These were all the rooms except the kitchen. I thoroughly searched the whole house, but no one was in it except as I have mentioned, and Ingram and myself went over to Mr. Bannatyne's house I went in, Ingram remaining at the door, and asked if Mr. Cunningham was there. The girl answered, "No, he is not." I asked if Mr. Bannatyne was in, and she answered he was, and I think at that Mr. Bannatyne came out from his bed-room in his pants and socks. I asked him if he had seen Cunningham that night? He answered, "No." I then bade him good-night, and went out and said to Ingram, "He has not crossed yet. We will go up along the bank of the river opposite St. Boniface, and see what is going on." This would be between twelve and one o'clock at night. We went down along the bank and sat down beside some logs which were piled up. After being there for some time, we thought we saw some appearance of a boat on the opposite shore, with some men moving about it. After waiting a considerable time nothing came of what we thought we saw. We waited some time longer, and finally concluded there was no likelihood of his crossing over that night or in the morning, as daylight then began to break, and we left. The next day we said nothing; but the issue of the warrant was, even during the night, as I learned next day, known all over town. During the day following I did nothing. At about ten or eleven o'clock on the night of the 16th, I sent Ingram, Dupont, and Kerr to arrest Riel and Lepine. These were the only persons on that side of the river at the time implicated in the murder of Scott, and at about three or four o'clock in the morning of the 17th they came to the Fort, where I was stopping with Lepine, and informed me that they could not find Riel. Riel all the time previous kept more or less concealed. Lepine did not try to conceal himself, but went around openly. I was informed and believe such to be the fact: that Riel, hearing of the issue of the warrant, left the country, and has not since been heard of here: Lepine was examined and committed for trial, and had his trial and was convicted at the October Assizes, 1874.

At the February Assizes, 1874, a true bill was found against Nault, Lagemoniere, Delorme and Richot (not Father Richot, but another person of the same name), and a bench warrant was issued and handed to me for their arrest. On it I arrested Nault and Lagemoniere. John Ingram, George Young, Andrew Ingram, James Deagon and John Bruce, who went with us to point out the place, were with me as my assistants. We arrested Nault at his place, about 8 o'clock in the evening. It was on or about the last of May. Previous to that he had been out of the country at Pembina, but was, as I was informed, brought back by Father Richot, and had only just returned. Lagemoniere had never been away, nor did he attempt to keep out of the way. I did not attempt to arrest him until I secured the arrest of the others. Therefore he was not arrested until after Nault was arrested. André Nault resisted me, but my force was sufficient to oppose all resistance, and we took him without much trouble. In putting the handcuffs on Nault he tried to bite me. I was knocked down by some one who came rushing out of Nault's house, but I could never ascertain who he was. For assaulting me Nault was indicted and pleaded guilty at the June Assizes, in 1874. He was tried for the murder of Scott at the Autumn Assizes, in 1874, but the jury did not agree. Before another assizes came round, the amnesty resolutions of the House at Ottawa were passed, and Nault was bailed and finally pardoned, along with the rest of the murderers of Scott. Lagemoniere was discharged, it appearing he opposed instead of promoting the killing of Scott.

(Signed) EDWARD ARMSTRONG,
Sheriff.

George M. Young, sworn, for himself says. About the last of May, 1874, I met John Bruce in the street. I asked him "What news?" He said André Nault is home, working at his fence. I took him to Stewart's drug store, and told him to remain there till the evening, and I would see him; and I started to see John Ingram, as I understood he had the warrant for Nault's arrest. I found him, and he had not the warrant, and we went to the Sheriff to get the warrant. We told the Sheriff. It was evidently news to him. The Sheriff said he would execute the warrant himself, but would not give it to Ingram. The Sheriff said he would go that night. I volunteered to go along to identify Nault, as neither the Sheriff nor Ingram knew Nault. I told him from whom I got my

information, and that Bruce was at Stewart's drug store. He requested us to ask Bruce to come and see him. We did so. Bruce seemed disappointed, and said it would come to nothing if the Sheriff had anything to do with it. That night passed and nothing was done. The Sheriff did not go, as he said he would. The next day, at about 3 o'clock, I saw the Sheriff, who told me to be on the other side of the Assiniboine River at half past seven. I was there at the appointed time, and there met Ingram. The Sheriff came at 8 o'clock in a waggon, with two men and a driver, and we started and called for Bruce at his home, and took him along to point out the place; and all went to within three-quarters of a mile of Nault's house, who lives on the bank of the Red River; and there is only a bridle path down from the high road to the house. Bruce told us where the house was, and directed us, and remained at the waggon, and finally turned back and went home. We went down the bridle path to Nault's house. The Sheriff and Deagon went to the front door, followed by Ingram and his brother about twenty feet behind. I went to a small window at the back of the house. There was a light in the house; it was lit up. It was about half past 9 o'clock. I put my face against the window and looked in, and saw five men and two women. Among the men I recognized Nault, and at that moment he recognized me. He was sitting at a table in the centre of the room. He was in his shirt and pants. He instantly sprang for the door, and I ran around the house. As I reached the front of the house I saw Nault, who was rushing out of the door, strike the Sheriff, and pass through his hands. At the corner of the house he encountered Ingram, who struck him, and then caught hold of him and held him. I ran to Ingram's help, and in doing so passed the Sheriff, who was struggling on the ground with one of the other men whom I saw inside as I looked in at the window. I assisted Ingram, and we together overpowered Nault, and had got the handcuff on the wrist of the right arm when the Sheriff and Ingram's brother, who had been assisting the Sheriff in his struggles on the ground, came to help us. The Sheriff asked me if I knew the man. I said "Yes. This is he" (meaning the man whom we were handcuffing). One side of the handcuff was locked, and we could not get it open. So I held one arm and Ingram was on the other side, and by wrenching Nault's arm made him go along towards the waggon at the high road. I took out my revolver and put it to his side, threatening to shoot if the women would not let us alone, who were pulling and tearing at us all their might. In the meantime the Sheriff, Deagon and Ingram's brother were keeping back the four men, who were rushing at us. At last Deagon took Ingram's place at the side of Nault in hurrying up the bridle path to the waggon, and Ingram turned back to help the Sheriff keep the men and women back which by this time were collected. At the first Nault and the rest of the women screamed and whooped so as to alarm the whole neighbourhood. At last we reached the waggon, forced Nault on the middle seat and tied him to it with a rope, and we started at a walk until the Sheriff and the rest overtook us, which they did almost immediately. The Sheriff and Ingram's brother laid down in the bottom of the waggon, so that none might get a shot at them. The driver and Ingram sat on the first seat; I sat on one side of Nault and Deagon on the other. In that way we went at a rapid pace, drove into town and lodged Nault in gaol at about half-past eleven o'clock in the night. Nault was bleeding at the nose and about the head. I went at the instance of the Sheriff for the gaol surgeon. This ends my connection with the arrest of Nault. I am the son of the Reverend George Young, Wesleyan Methodist minister, in charge of that Church in Manitoba and in the north-west territory. When the Sheriff and those with him got to the waggon we could see a crowd running along the side of the fence and in the road. But so soon as he got in we drove at a very rapid pace and in this way distanced our pursuers.

(Signed) GEO. M. YOUNG.

John Ingram, being sworn, for himself says:—About the 20th of August, 1873, I met Riel about four miles from Winnipeg, on the Winnipeg and Pembina road. I stopped and talked to him for awhile. I asked him if he had heard anything of young Dease, whom I was in search of. He said he had not. I then bade him good evening and passed on my way. I was going towards Winnipeg and he was going towards St. Norbert. At the time I did not know him. He was on horseback. Two half-breeds were along with him on foot—one on each side. After I had passed him about two miles I was

overtaken by an English half-breed, with whom I got into conversation, and who asked me if I met a man on horseback. I told him I did, and spoke to him. He then told me that man was Riel. I think the English half breed was Campbell. He lives in St. Andrew's. When I came to Fort Garry I met Mr. Thibaudeau, and I told him there was a meeting at St. Norbert at Father Richot's church, and that I had met Riel, and I believed he was going to that meeting; and I requested him to go and see Mr. Stewart Mulvey, and I would see Mr. R. A. Davis (who then talked loudly about the arrest of the murderers of Scott, but subsequently very much changed his views), and see if a party could not be got up to go and arrest Riel. I saw Davis and unfolded to him my plan. He seemed to think we could do nothing, as the Government had taken no action and would not do so. I said to him if through him and Mr. Mulvey and Mr. Cornish, and such like men, I could get half-a-dozen to go with me, I would arrest Riel without any warrant. At this he suggested that the parties should be got together, and see what could be done. I tried to get a meeting of Mulvey, Davis, Cornish, Thibaudeau and others, to so see what should or could be done, but failed, and nothing came of it. Nothing further occurred important to mention till about the 9th September, 1873, when I was serving summonses for the Sheriff, and was acting as Sheriff's bailiff. I was in the Sheriff's office and he informed me there was a subpœna for Riel in his hands for service, and told me not to say anything about it. At that time I had to go to the Portage-la-Prairie, and I requested the Sheriff to keep the subpœna till I returned and I would serve it. He said he would. I again then went and saw R. A. Davis and Stewart Mulvey, and informed them of the subpœna being out for Riel, and that the Sheriff was going to keep it till I returned from the Portage, and asked them if they could not get some person to lay an information against Riel, and that John Taylor, of Headingly, was a Justice of the Peace, and would, as he had informed me, issue the warrant, and that when I subpœnaed Riel I would also arrest him. The matter was talked over, and it was thought I could get Farquharson, who had been a prisoner, and was stopping at House's, near White Horse Plains, to lay the information. Taylor lives about twelve miles west of Winnipeg, and House's place is about twenty-five miles west of Winnipeg, both on the road to the Portage. And I agreed I would see Taylor and Farquharson on my way to the Portage, and send them down to Winnipeg to have the warrant got out. I said I would send them to R. A. Davis's tavern. I did this. On my return I ascertained that the Sheriff had employed one Dupont to serve the subpœna on Riel, and that he had served Riel. The Sheriff told me this. I asked how he came to do it. He said it would have been too late if he had waited for me. I did not think it safe to take the Sheriff into my confidence about the arrest of Riel. I had no confidence in him. I saw both Taylor and Farquharson here. They had both come down as agreed. They were at R. A. Davis's tavern when I saw them. I saw Davis at his tavern, but he said nothing. Both Taylor and Farquharson were willing to act, but Davis would not have anything to do with it; so nothing in the way of getting out a warrant was done. About this time it was talked over town that Riel was going to attend Court, and come protected by a hundred armed men. It was also rumoured that as he was subpœnaed by the Government to prove a charge against one Buchanan for assaulting Riel in, as it was said, an attempt to arrest Riel for the murder of Scott, if necessary Riel would be protected from arrest by the Government troops. On the evening of the 15th September, 1873, Mr. Cornish told me there was a meeting in his (Cornish's) office, and he said they were going to get out a warrant for Reil and give it to me to execute. I therefore got my revolver and knife ready to go and execute the warrant, as I had been promised. I went to Dr. O'Donnell's, where I saw Mr. Cornish and Mr Farmer, and spoke to Mr. Farmer and requested that the warrant might be given to me. He tried to get it for me, but Mr. Cornish said he had promised it to the Sheriff, who had pledged his word of honour to execute it that night. So the warrant was given to the Sheriff. I was present when it was given to the Sheriff. It was about eleven o'clock at night when the warrant was given to the Sheriff. I did not think the Sheriff then in a fit state to execute such a warrant. I took the Sheriff aside and tried to get the warrant from him to execute it, but he would not give it to me. It was on our way to Cunningham's house that I asked the Sheriff to give the warrant to me to execute it. I said to the Sheriff I thought it nonsense to look for Riel at either Cunningham's house or Bannatyne's house. And after the Sheriff had

gone into the houses and did not find Riel, I said to the Sheriff —"You say Riel will be at one or the other of these houses. It seems to me absurd, especially after you have been there. Give me the warrant and I will get Mr. Richard Powers to go with me and go to Riel's house, where I am quite sure I shall find him before he gets word of what is going on. You place men to watch these houses, and if you are right in your conjectures, all well. But I am sure you are wrong, and if you delay in going at once to and watching Riel's house, you will not succeed in his arrest." To this the Sheriff said: "No; you with Kerr will have to go to the Lower Fort for some prisoners in the morning, and I will see what can be done in the morning." It then began to be morning. I then with Kerr went down to the Lower Fort for some prisoners, and brought them. In town I met the Sheriff, and I asked if he had done anything with the warrant. He said he had made inquiries, but could not find out anything as to the whereabouts of Riel. I again asked for the warrant, and he said he would give it to me to execute that night. I then spoke to Kerr about going with me, and walked with the Sheriff down to R. A. Davis's tavern, when the Sheriff told me he had employed Dupont to go with us as a guide. Dupont was there. I told the Sheriff privately I thought he had made a mistake in confiding this matter to Dupont, as I had no confidence in him. I still entertained suspicions, and do so still. I charged Kerr, who could speak and understand French, not to allow him, before we started, out of his sight or to speak to any one except in his hearing. At last about nine o'clock we got started—myself, Kerr and Dupont, with a driver. It was very dark, rainy and muddy, and he failed to guide us right, and we lost our way and did not get to Riel's till about four o'clock in the morning, the distance being about five miles. We searched Riel's house high and low, but could get no trace of him. He had evidently during the previous day got word of the issue of the warrant and fled the country. I have always believed if the Sheriff had given the warrant to me on the night previous, I could have secured his arrest. But now it was too late. Failing to find Riel, we drove back with all the speed we could command to Lepine's place, which we had passed in going to Riel's, where we arrived just at broad daylight. We all jumped out of the waggon and I rushed in, and found Lepine as I thought not getting up, but pulling off his clothes as though he were going to lay down. I arrested him (a description of his arrest is given by other deponents). I handed Lepine over to the Sheriff at Fort Garry. Shortly after I was sent for by Attorney-General Clarke. He congratulated me on arresting Lepine, and said: "We will do our utmost to arrest Riel, now that we have got one of the frog eaters;" and I know he tried to arrest Riel, but Riel had left the country. As to the arrest of Nault, I have heard the deposition relating thereto of George Young, and I say his account of that matter is accurate. From what I know of the subject, and I was in a position to know all about it, it is my opinion that the Sheriff would not have actively tried, and did not actively try, to arrest the murderers of Scott until he knew that Clarke, the Attorney-General, at first secretly, and afterwards openly, aided and abetted it. Such was the state of matters in Manitoba till a year and a half ago, prior to the arrival of the Chief Justice, that it is doubtful, without the aid of the Attorney General, if any successful move in that direction could have been made by any one. Still I was willing and most anxious to do so, and did all I could to set the law in motion; and although others, as R. A. Davis, were profuse in promises and talked vigorously, but when it came to the point they would do nothing. I may add, that I assisted in arresting Lagemoniere. But in all I did I acted simply from a sense of right and loyalty to the Queen. I then had no thought of the reward, or of asking for it, but I submit if any one is entitled to any portion of it I am, if not better entitled to participate in it than any one else.

(Signed) JOHN S. INGRAM.

The following is a letter received from John James Setter, Esquire, Deputy Sheriff of the County of West Marquette, a gentleman of high character and unquestionable veracity:—

In the month of December, A.D. 1870, I was a justice of the peace in and for the Province of Manitoba, and in that capacity, on the 31st day of December, A.D. 1870 one Charles Garrett, of the Town of Winnipeg, made oath before me that one

Thomas Scott had been murdered at Fort Garry, in the said Province of Manitoba, on the 4th day of March, A.D. 1870, by order of one Louis Reil. I consequently issued the warrant of which the following is a copy :—

Province of Manitoba, } To Captain Villiers, Chief of Police, and all other constables.
To Wit : } Personally appeared before me, John James Setter, one of Her Majesty's justices of the peace in and for the Province of Manitoba, on this 31st day of December, Charles Garrett, of the Town of Winnipeg, tavern-keeper, who makes oath and saith that on the fourth day of March, one thousand eight hundred and seventy, one Thomas Scott was wilfully and unlawfully shot to death by order of one Louis Reil, at Fort Garry. This is therefore to command you and all other constables of the Province of Manitoba, or either of the constables of the said Province, to arrest the said Louis Reil, and to bring him personally before me, to be dealt with according to law.

And that in case of resistance of the said Louis Reil, I do hereby order and command you to bring his body dead or alive before me.

Witness my hand and seal, this thirty-first day of December, A.D. 1870.

(Signed) John James Setter. [L.S.]

I further state that the warrant was never executed, and also that some time afterwards the Hon. John Norquay informed me that he had been told that Lieutenant-Governor Archibald stated that I would have been appointed a member of the Legislative Council of the Province of Manitoba had I not issued the warrant. Further I state that in the spring of 1871, my commission as justice of the peace in and for the Province of Manitoba was cancelled, and a new commission as justice of the peace for the County of Marquette was given me, and I have reason to believe that this action was taken in consequence of my having issued the warrant, and I know of no other reason for such a step being taken in regard of my commission.

Witness my hand this twenty-first day of October, A.D. 1875.

(Signed) John James Setter.

Witness : Wm. J. Laud.

To His Honor the Lieutenant-Governor of Ontario.

May it Please your Honor :

In pursuance of the Commission to me directed, bearing date the sixth day of September, 1875, authorizing me to cite before me the several persons who had preferred claims, and all others who might desire to prefer claims, to be entitled to the reward of five thousand dollars, or to some portion thereof, offered by the Government of the Province of Ontario to such person or persons as should be instrumental in bringing the murderers of the late Thomas Scott, who was murdered at or near Upper Fort Garry, in what is now the Province of Manitoba, but was then a part of Rupert's Land, on or about the 4th of March, 1870, or any of them to trial for the said murder before any Court of competent jurisdiction, and to require of and permit them or any of them severally to adduce their and his several and respective proofs and allegations in support of their and his claims respectively, and that I should hear, take down and record in writing all such proofs and allegations of the respective claimants, and that I should report such proofs and allegations, and my opinion as to the right of the several claimants, for the information of your Honor : I did on Wednesday, the 22nd day of September, 1875, at the Court House in the City of Winnipeg, pursuant to public notice in that behalf published in all the newspapers in Winnipeg viz., the *Free Press*, the *Nor'-Wester* and the *Standard*, open the said Commission and proceed with the investigation. There were present in their proper persons all those who have preferred claims (except John A. Kerr, who appeared by Mr. Biggs, his attorney), namely : William A. Farmer, Francis E. Cornish, C. B. Thibaudeau, Thomas Hughes, H. W. Smith, Leon Dupont, John S. Ingram,

(called John Ingram), George M. Young, Edward Armstrong, and John A. Kerr, to whom I read the Commission, and my instructions, the notice appointing the meeting, stating the object and the proclamation of His Honor offering a reward of $5,000, and a draft letter, a duplicate original of which had been mailed to each of the claimants to the effect following :

"WINNIPEG, September 15th, 1875.

"SIR,—I have the honour to inform you that I shall open the Commission and proceed with the inquiry as to who, if any, are entitled to participate in the reward of $5,000 offered by the Government of Ontario for the apprehension and bringing before a Court of competent jurisdiction the murderers of Thomas Scott, at Fort Garry, in March 1870, at the Court House in Winnipeg, on Wednesday, the 22nd instant, at 11 o'clock A.M.

"You are notified to be in attendance with your witnesses and proofs.

"Yours, &c.,

"E. B. WOOD."

And I then, before proceeding to take any evidence, requested each claimant to sign the following undertaking, which all did in my presence :

"We, the undersigned, claimants in respect of the reward offered by the Ontario Government for the arrest and bringing to trial, before any court of competent jurisdiction, the murderers, or any of them, of Thomas Scott, at Fort Garry, on or about the 4th day of March, 1870, do hereby agree to submit our several claims to the investigation and report of the Chief Justice of Manitoba, appointed a commissioner in that behalf by the Lieutenant Governor of Ontario, and to the final decision under the evidence to be taken thereunder, and the report thereon by the Chief Justice, of the Lieutenant-Governor in Council of the said Province of Ontario, and to be bound by such final decision.

"Dated this 22nd September, 1875.

"WM. A. FARMER.
FRANCIS E. CORNISH.
C. B. THIBAUDEAU.
THOMAS HUGHES.
H. W. SMITH.
LEON DUPONT.
JOHN S. INGRAM.
GEO. M. YOUNG.
E. ARMSTRONG, *Sheriff.*
JOHN A. KERR,
By his solicitor S. C. Bigg."

I then heard, took down, and reduced to writing the statement of each claimant, and of such other persons as they or any of them thought proper to produce before me—all under oath (with the exception of that of John James Setter, who was at a distance). The taking of the depositions in the manner aforesaid occupied several days. I herewith transmit the original notes of the depositions, signed by the respective deponents. I also transmit, as an appendix to, and as forming part of this report, a copy of the depositions, marked Z. I also transmit the correspondence respecting the several claims of the claimants, which, after the investigation that has now taken place, I regard of little or no importance.

I now proceed to make some observations respecting the case submitted :—

1. I have had great difficulty in finding any principle upon which I can satisfactorily adjust and determine the rights of the several claimants.

It will be observed that "the reward is offered to such person or persons *as may be* "*instrumental* in bringing the murderers of Scott, or any of them, to trial before a court "of competent jurisdiction ; and in case more than one person become entitled to parti "cipate in the reward, it will be equitably apportioned."

Every loyal and just man in the settlement felt that the murderers of Scott should

be brought to trial, and they aided and promoted action which should lead to that result all they could; and all they could do was on all occasions to express their opinions, and advise that some steps should be taken, in some way or another, by somebody or another, whereby this end should be accomplished. At the same time all knew that all were powerless to put into successful operation the law, and that to attempt it would only subject the movers to persecution by the Governor and his officials. In this sense very many were *instrumental* in procuring the arrest of Lepine and Nault, and the outlawry of Riel and O'Donoghue. But I think the word "*instrumental*" means something more than counselling, approving of, and, when action was taken, supporting and defending those who took the responsibility of setting the law in motion, and of following it up as a private prosecutor, until Lepine and Nault, two of the murderers of Scott, were brought to trial before a court of competent jurisdiction, and on the trial appearing as prosecutor, and procuring and marshalling the evidence and witnesses which led to the conviction of Lepine, and should have secured and eventually would have secured the conviction of Nault. (The jury disagreed in the trial of the Queen *vs.* Nault—tried at the same assizes as Lepine—and at the ensuing assizes he was bailed in consequence of the amnesty resolutions passed by the House of Commons, and was finally, along with the other murderers of Scott, pardoned.)

2. There seems to be no question, from the origin of the Government of Manitoba, in the latter part of the summer of 1870, down to the autumn of 1873, the Executive head and the officials not only systematically opposed any proceedings being taken against the murderers of Scott, and directly or indirectly warned all peace officers to entertain no application to proceed against them, but also threw around them the shield and the defence of the whole Executive authority—declaring publicly and privately that the law could not take cognizance, and the courts had not jurisdiction over the offence; but that it was a matter, if cognizable at all by any tribunal, belonging exclusively to the Imperial authorities.

This will account for the fact that during this time, the murderers of Scott made no effort to conceal themselves, but went about as though no charge were hanging over them, and no effectual steps were taken for their arrest: and that the efforts that were made in this direction proved abortive, and that the marked displeasure of the Executive was manifested to all those who had or should presume to have anything to do with any movement having for its object the arrest of the murderers of Scott. It was a favourite doctrine that neither the Manitoba nor the Canadian Courts had jurisdiction of the offence, and therefore no one had any legal right to set the law in motion: and this proposition received all the weight and force that could be given to it by the Governor, and by the written and published opinions of gentlemen standing high in the profession in the older Provinces. All these facts and circumstances had a depressing influence on individual effort to bring to trial the murderers of Scott. In this connection it must not be forgotten, that under the Manitoba Act of 1870, the Governor was his own Prime or First Minister, and that his advisers were simply his agents and instruments, whom he could retain or dismiss at pleasure, and who were not obliged even to have seats in either House of the Legislature. The Governor was, during the first four years of the government of Manitoba, legally, theoretically and practically supreme, and since thence practically, if not legally and theoretically, supreme.

3. It appears that, in the summer of 1873, Governor Morris's Attorney-General, Henry J. Clarke, had a quarrel with Riel and his friends about the representation of the County of Provencher in the Commons; and from the evidence of Mr. Farmer, it will be found that about the latter part of August of that year, the Attorney-General expressed himself confidentially to Mr. Farmer that he was personally favourable to the prosecution of Riel and Lepine and the murderers of Scott; and that if proceedings were taken, and the murderers arrested, he would prosecute them to the best of his ability. Mr. Farmer replied to him, "You may safely say that, for you well know that no magistrate dare issue a warrant." The Attorney-General then said that if Farmer would send him the name of a proper person who would act in the premises, he would have him appointed at the next meeting of Council. Farmer said he would do so. Farmer subsequently sent him the name of John Taylor, an English half-breed residing at Headingly; and true to his word, the Attorney-General, at the next meeting of Council, had him put on the commis-

sion of the peace. This must have taken place in the fore part of September, 1873, shortly before the issue of the warrant by Dr. O'Donnell on the 15th September, 1873. It is also to be noted that the Attorney-General about this time decided to bring on for trial an indictment against one Buchanan (which had stood over for several assizes) for having attempted to arrest Riel at his house, without a warrant, and he no doubt did this as a pretext for getting Riel over on the Winnipeg side of the river, and within easy reach of any one who might have a warrant for his arrest. Accordingly, he had Riel subpœnaed through the Sheriff, by his special bailiff for that purpose, Dupont. The first subpœna was served on Riel on Sunday, the 12th September. A second was served on him on Monday, the 13th of September. Dupont swears he saw Riel at the store of La Rivere, in St. Boniface, on Tuesday, the 14th September, and talked with him. Riel said to Dupont, he would attend on the subpœna, provided the Sheriff would meet him at the shore of the Red River and protect him. Dupont had no doubt set afloat the story that Riel was coming to the assizes, which were to be held on the 16th or the 17th of September, with 200 armed half-breeds to protect him, if need be. The motive and purpose of the Attorney-General were not known, except, perhaps, they were strongly suspected by the Sheriff and Ingram, and one or two others, as Farmer. However this may be, it is quite certain that the Sheriff would never have undertaken to arrest any of the murderers of Scott had he supposed it would have been disapproved of by the Attorney-General. It will not be forgotten that the Attorney-General recommended Dupont to the Sheriff to serve the subpœna on Riel, and that before he took any effectual steps for the arrest of any one (going to Cunningham's house and Bannatyne's house amounted to nothing, and the Sheriff must have known it would amount to nothing), he had the writ in his hands nearly twenty-four hours, and the fact of the issue of the warrant flew like the wind over the whole Province. He saw the Attorney-General and arranged with him whom he would send to arrest Riel and Lepine, and the Attorney-General recommended to him Dupont. The Sheriff therefore knew before he had taken genuinely sincere steps to arrest any of the murderers of Scott that the Attorney General secretly approved of the movement, and he took no such steps till twenty-four hours after he had received the warrant. Lepine never attempted to keep out of the way. Riel always did, more or less; and so soon as he knew what was intended he fled, and has not been back in the country. What the Sheriff did on the night he received the warrant could have no other effect than warn Riel that he was after him, and that he must flee or be arrested. He took the warning and fled. Had the Sheriff done as any prudent man would have done, and as Ingram wanted him to do, send and set a secret watch on Riel's house, immediately on getting the warrant, in all probability he would have succeeded in his arrest. There was not then, nor was there ever, any difficulty in finding Lepine. From the first he had determined to brave it out, and he did so. This was well known to all. The whole difficulty was in effecting the arrest of Riel, and effectually setting the law in motion against the others. From what Dupont had reported, all sorts of rumours were set afloat. Great excitement prevailed in Winnipeg, which is almost entirely settled by English people and those speaking the English language. This gave rise to the meeting at the office of Messrs. Cornish & Thibaudeau, on the evening of the 15th of September, of Cornish, Thibaudeau, Hughes, Smith, Mulvey and others mentioned in the depositions of Cornish and others, to which Mr. Farmer was subsequently added, which resulted in the issue of the warrant by Dr. O'Donnell for the arrest of the murderers, and upon which warrant, on the evening, or rather in the morning, of the 17th of September, Riel was ascertained to have fled, and Lepine was arrested.

4. It is worthy of observation, as showing the attitude at that time of the Executive head of the Government on this question, that shortly after the issue of the warrant, Dr. O'Donnell was, without being furnished with any ground or charges, unceremoniously dismissed from the commission of the peace; and although he pressed for the grounds, they have never yet been furnished him. As bearing upon this point, his evidence, and that of Messrs. Cornish and Farmer, establishing what actually took place at the taking of the information and the issue of the warrant, will well repay a careful perusal. It is also to be observed that His Honor the Governor did not instruct his Attorney General to appear, nor did he appear, as counsel for the Crown on the preliminary examination of Lepine before Mr. Justice Betournay, but kept aloof from it altogether; while Mr. Royal, the Provincial

Secretary to the Governor, appeared and acted as counsel for Lepine. The position taken in respect of the murderers of Scott by the Attorney-General, subsequent to the fall of the John A. Macdonald Government, which took place the last of October, or the fore part of November, is well known: and I venture the opinion that that event had no small influence, in this respect, upon Lieutenant-Governor Morris.

5. I have now to make a few remarks on the merits of the claimants. It will be observed that there are in all ten. Neither Dr. O'Donnell nor Stewart Mulvey, nor indeed any one else, after the fullest notice and ample time, prefer or make any claim. *William A. Farmer*, of Headingly, is the only one who, with a view of obtaining the reward, and also influenced by a sense of right, for he is a gentleman who stands well, at an early date took steps to procure the arrest of the murderers of Scott, and although baffled and beset with all sorts of difficulties, persisted, until to a certain extent, it was accomplished. He hesitated not boldly to prosecute, and continued that attitude until the trial and conviction of Lepine and the trial of Nault. He assumed the responsibility of laying the information and setting the law in motion which led to these results. I therefore think he is entitled to much more of the reward than any other of the claimants. I think he may receive $2,000. *Cornish* and *Thibaudeau* stand about on the same footing. Had it not been for them the warrant would not have been issued when it was; although it no doubt would have been shortly issued by John Taylor, through Mr. Farmer. I think each of these parties may be paid $400. Nothing was ever paid either of them for their services on the preliminary examination.

Dupont, Ingram, Sheriff *Armstrong,* and *Kerr* were officers of the law, and, doing what they did in the arrest of the murderers of Scott, were simply executing process placed in their hands as any other process, for which, of course, they were paid the ordinary fees and charges. I have had more or less difficulty in making up my mind in respect of the Sheriff. He is certainly deserving of credit for his manner of action in the arrest of Nault; but his conduct in respect of the arrest of Riel and Lepine is open to suspicion; still he may have acted to the best of his judgment; but, looking at it from the standpoint of the present, it seems not to have been dictated by wisdom or prudence; still it may have been so. I therefore class all these officials together. I think they may each be paid $330.

George M. Young volunteered to assist in the arrest of Nault, and did good service. See his evidence. I think he stands in a different position from that of Smith and Hughes, who did nothing but advise and talk. I think George M. Young may be paid $300.

This disposes of all the claimants except Thomas Hughes and H. W. Smith. These gentlemen actually did nothing except, as they state, and as I have no doubt is the fact, they advised, counselled and approved of the movement arranged in the office of Messrs. Thibaudeau and Cornish for the issue of the warrant and the arrest of the murderers of Scott, and were ready and willing to act in any way in the accomplishment of this object. It is difficult to say, where the claims of all rest on such questionable basis, that these should be rejected; for, after all, the arrest of Lepine and Nault, and their trial, is attributable to the combined action of all the claimants, with that of other persons who have not made, and will not make, any claim. I therefore think *Hughes* and *Smith* may each be paid $290.

The allocation of the reward of $5,000 will therefore stand as follows:—

William A. Farmer	$2,000 00
Francis E. Cornish	400 00
C. B. Thibaudeau	400 00
Leon Dupont	330 00
John S. Ingram	330 00
Edward Armstrong (Sheriff)	330 00
John A. Kerr	330 00
George M. Young	300 00
Thomas Hughes	290 00
H. W. Smith	290 00
	$5,000 00

I do not think it would be inappropriate, under the circumstances, rateably to deduct from the above amounts the cost and expenses of the Commission. However, that is a matter for the consideration and decision of your Honor.

I cannot say I am altogether satisfied as to the results; but after the most mature consideration, I do not well see how I could improve on the *substance* of my Report. It will, of course, be for your Honor to examine the evidence, and so change, alter, or entirely set aside the Report as to your Honor shall seem right and just.

All of which is respectfully submitted.

E. B. Wood.

RETURN

To an Address of the Legislative Assembly to His Honour the Lieutenant-Governor, praying His Honour that he will cause to be laid before the House a Return from the Records of the Elections, shewing the aggregate number of Votes Polled for each Candidate in each Electoral Division in which there has been a contest, the total number Polled in each such Division, and the number of Votes on the Voters' Lists of the same respectively, and the Population of each Constituency, as shewn by the last Census.

By Command,

S. C. WOOD,
Secretary.

Provincial Secretary's Office,
Toronto, 1st February, 1876.

RETURN from the Clerk of the Crown in Chancery, from the Records of the Elections to the present Legislative Assembly of the Province of Ontario, shewing the aggregate number of Votes Polled for each Candidate in each Electoral Division in which there has been a Contest, and the total number Polled in each Division, and the number of Votes on the Voters' Lists of the same respectively, and the Population in each Constituency, as shewn by the last Census, as called for by an Order of the Honourable the Legislative Assembly of the 1st of December, 1875.

MEM.—The Returns for the Uncontested Elections are included.

Electoral District	Electoral Division, consisting of Township, City, Town, Village, District.	CANDIDATES.			Total Number of Votes Polled in each Division.	No. of Voters on the Voters' Lists in each Division.	Population in each Constituency, as shewn by last Census.	REMARKS.
		Deroche.	Lake.	——				
Addington	Camden, 1st Division	89	96		185	293		
do	do 2nd do	92	107		199	267		
do	do 3rd do	87	70		157	190	5,792	
do	do 4th do	46	43		89	152		
do	do 5th do	96	88		184	259		
do	Newburgh Village	97	70		167	240	828	
do	Sheffield, 1st Division	143	109		252	339	2,615	
do	do 2nd do	67	26		93	142		
do	Kaladar and Anglesea	55	1		56	143	749	
do	Denbigh, Abinger, and Ashby	38			38	62	325	Effingham included in Population.
do	Portland, 1st Division	62	58		120	174		
do	do 2nd do	44	53		97	151	2,718	
do	do 3rd do	49	34		83	108		
do	Loughborough, 1st Division	80	65		145	256	2,325	
do	do 2nd do	48	35		83			
do	Kennebec	22	12		34	50	802	
do	Bedford	67	25		92	176	1,839	
do	Hinchinbrooke, 1st Division	32	5		37	128	997	
do	do 2nd do	28	26		54			
do	Barrie	68	3		71	113	316	
do	Olden	37	4		41	137	560	
do	Oso	28	8		36	50	492	
do	Palmerston and North and South Canonto	42			42	53	546	
do	Clarendon and Miller	36			36	58	408	
		1,453	938		2,391	3,521	21,312	

Algoma	Number One Division	Dawson.	Biggins.	——	127	138		Killarney 220 } East. Spanish River 544 } East. Missisagua 213 } Centre. Bruce Mines 1,298 } Centre. Sault Ste Marie 879 } Centre. Batchewaning .. 145 } West. Michipicoten 228 } West. Pic 371 } West. St. Ignace 168 } West. Nipigon 438 } West. Kaministiquia .. 503 } West. 5,407
do	do Two do	11	3		14	15		
do	do Three do	45	42	...	87	90		
do	do Four do	14	2	.....	16	16		
do	do Five do	15	4	...	19	19		
do	do Six do	12	2	...	14	15		
do	do Seven do	19	40	.....	59	62	5,007	
do	do Eight do	17	78	....	95	103		
do	do Nine do	12	17	.....	29	32		
do	do Ten do	8	12	.....	20	24		
do	do Eleven do	17	7	.....	24	24		
do	do Twelve do	172	7	.....	179	196		
do	do Thirteen do	43	2	.....	45	59		
do	do Fourteen do	56	9	.....	65	76		
		510	283	.....	793	869	5,007	
		Finlayson.	Crawford.	——				
Brant, N. R	Brantford Township, 4th Sub-Div	70	60	.....	130	236	3,461	
do	do 5th do	66	123	.....	189	292		
do	do 6th do	49	25	.....	74	141		
do	S. Dumfries Township, 1st do	60	46	.....	106	157	3,468	
do	do 2nd do	67	61	.....	128	163		
do	do 3rd do	90	15	.....	105	173		
do	do 4th do	57	40	.....	97	155		
do	Onondaga Township, 1st do	36	72	.....	108	149	1,924	
do	do 2nd do	32	73	.....	105	164		
do	Town of Paris, King's Ward	76	44	.....	120	199	2,640	
do	do Queen's do	41	18	.....	59	100		
do	do North do	53	24	.....	77	151		
do	do South do	50	31	.....	81	125		
		747	632	.....	1,379	2,205	11,493	
Brant, S. R		A. S. Hardy			By Acclamation.		18,160	
		Cole.	Fitzsimmons	——				
Brockville	East Ward, No. 1 Division	40	55	.....	95	148	1,483	
do	do 2 do	36	56	.....	92	142		
do	do 3 do	57	46	.....	103	165		
do	Centre Ward, 1 do	59	39	.....	98	172	1,912	
do	do 2 do	57	53	.....	110	172		
do	do 3 do	52	43	.....	95	161		

RETURN from the Clerk of the Crown in Chancery, from the Records of the Elections, to the present Legislative Assembly of the Province of Ontario, &c.—*Continued.*

Electoral District.	Electoral Division, consisting of Township, City, Town, Village, District.	CANDIDATES.			Total Number of Votes Polled in each Division.	No. of Voters on the Voters' Lists in each Division.	Population in each Constituency, as shewn by last Census.	REMARKS.
		Cole.	Fitzsimmons	—				
Brockville	West Ward. No. 1 Division	41	31		75	107	1,707	
do	do 2 do	67	52		119	169		
do	do 3 do	52	81		133	186		
do	Elizabethtown, 1 do	69	56		125	177		
do	do 2 do	71	65		136	233		
do	do 3 do	69	57		126	162		
do	do 4 do	69	27		96	108		
do	do 5 do	35	96		131	157		
do	do 6 do	21	132		153	197	5,373	
do	do 7 do	60	82		142	181		
do	Front of Yonge, 1 do	91	40		134	177		
do	do 2 do	78	39		117	158		
do	Rear of Yonge & Escott, 1 Division	90	49		139	168		
do	do do 2 do	73	46		119	145		
do	do do 3 do	54	29		83	108		
		1,247	1,174		2,421	3,393	10,475	
		Sinclair.	Sinclair.	—				
Bruce, N. R.	Albemarle, Lindsay, Eastnor, and St. Edmund's, Sub-Div. No. 1	49	8		57	57	678	
do	Amabel, Sub Division No. 1	81	33		114	115	1,805	
do	do do 2	21	11		32	32		
do	do do 3	65	11		76	114		
do	Arran, do 1	25	93		118	177	3,780	
do	do do 2	92	28		120	167		
do	do do 3	63	46		109	146		
do	do do 4	40	62		102	169		
do	Bruce, do 1	43	107		150	244	3,764	
do	do do 2	16	48		64	116		
do	do do 3	77	42		119	187		
do	do do 4	27	110		137	173		
do	Elderslie, do 1	8	23		31	75		
do	do do 2	17	53		70	99		

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RETURN from the Clerk of the Crown in Chancery, from the Records of the Elections, to the present Legislative Assembly of the Province of Ontario, &c.—*Continued.*

Electoral District	Electoral Division, consisting of Township, City, Town, Village, District.	CANDIDATES.			Total Number of Votes Polled in each Division.	No. of Voters on the Voters' Lists in each Division.	Population in each Constituency, as shown by last Census.	REMARKS.
Bruce, S. R.	Kincardine (Town), Sub-Div. No. 1	Ross. 45	Wells. 81	.....	126	253	1,907	
do	do do do 2	28	49		77	180		
do	Walkerton, Sub-Division No. 1	29	18		47	71		
do	do do 2	35	15		50	104		
do	do do 3	28	15		43	76		
		965	1,864		2,830	5,745	31,332	
Carleton		G. W. Monk			By Acclamation		21,739	
		Bowls.	Flesher.	——				
Cardwell	Adjala, Sub-Division No. 1	18	106		124	193	2,878	
do	do do 2	55	45		100	206		
do	do do 3	66	50		116	206		
do	Albion, do 1	71	60		131	168	4,857	
do	do do 2	58	61		119	184		
do	do do 3	56	58		114	162		
do	do do 4	21	74		95	143		
do	do do 5	64	54		118	188		
do	Caledon, do 1	110	10		120	150	4,785	
do	do do 2	74	47		121	164		
do	do do 3	42	70		112	157		
do	do do 4	54	82		136	174		
do	do do 5	58	68		126	163		
do	do do 6	44	44		88	122		
do	Tecumseth, do 1	40	65		105	170	4,728	
do	do do 2	67	70		137	167		
do	do do 3	59	70		129	194		
do	do do 4	33	56		89	142		

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RETURN from the Clerk of the Crown in Chancery, from the Records of the Elections, to the present Legislative Assembly of the Province of Ontario, &c.- *Continued.*

Electoral District.	Electoral Division, consisting of Township, City, Town, Village, District.	CANDIDATES.			Total Number of Votes Polled in each Division.	No. of Voters on the Voters' Lists in each Division.	Population in each Constituency, as shown by last Census.	REMARKS.
		Broder.	Cook.	—				
Dundas	Village of Iroquois	43	81		124	170	781	
do	Matilda S., Division No. 1	85	71		156	178		
do	do do 2	95	56		151	206		
do	do do 3	75	63		138	184	4,767	
do	do do 4	87	56		143	174		
do	do do 5	95	38		133	191		
do	Mountain, do 1	121	59		180	248		
do	do do 2	86	72		158	214	3,259	
do	do do 3	87	70		157	272		
do	Winchester, do 1	62	108		170	186		
do	do do 2	102	46		148	152	4,090	
do	do do 3	62	62		124	139		
do	do do 4	92	68		160	190		
do	Williamsburgh, do 1	54	83		137	199		
do	do do 2	53	81		134	192		
do	do do 3	65	85		150	200	4,724	
do	do do 4	74	75		149	197		
do	do do 5	54	67		121	191		
do	Morrisburgh, East Ward	21	54		75	102	1,156	
do	do West do	45	69		114	178		
		1,458	1,364		2,822	3,763	18,777	
		Rosevear.	Smith.	—				
East Durham	Port Hope, South Ward, No. 1	71	76		147	204		
do	do North do 1	59	56		115	179		
do	do East do 2	33	55		88	158	5,114	
do	do West do 2	60	98		158	235		
do	do East do 3	61	62		123	201		
do	do West do 3	45	76		121	181		
do	Township of Hope, Sub-Div. 1	45	65		110	206		
do	do do 2	22	81		103	172		
do	do do 3	23	70		93	124	5,075	
do	do do 4	81	49		130	173		

do	do	5	84	68			152	186					
do	do	6	65	70			135	177					
do	Township of Cavan,	1	83	29			112	175					
do	do	2	98	48			146	195					
do	do	3	66	14			80	118					4,761
do	do	4	65	46			111	153					
do	do	5	71	40			111	185					
do	do	6	68	48			116	156					
do	do	1	80	30			120	166					
do	Township of Manvers,	2	99	33			132	156					4,114
do	do	3	96	20			125	142					
do	do	4	69	46			106	132					
			1,464	1,179			2,633	3,776					19,064
Durham, W. R	Bowmanville, Sub-Division No.	1	48	56	McClung.	84	—	132	185				
do	do	2	35	49	McLeod.	56		91	142				
do	do	3	49	69		69		118	163				3,034
do	do	4	66	57		57		123	170				
do	Darlington,	1	18	70		70		88	145				
do	do	2	34	82		82		116	167				
do	do	3	25	81		81		106	160				
do	do	4	50	88		88		138	184				5,931
do	do	5	22	53		53		105	151				
do	do	6	36	87		87		123	186				
do	Clarke,	1	68	63		63		131	176				
do	do	2	51	59		59		113	157				
do	do	3	13	46		46		59	76				
do	do	4	105	70		70		175	222				5,728
do	do	5	41	118		118		159	205				
do	do	6	21	31		31		52	78				
do	Cartwright,	1	85	18		18		103	156				
do	do	2	56	29		29		85	196				2,514
do	do	3	122	25		25		147	134				1,109
do	Newcastle		95	71		71		166	207				
			1,073	1,257			2,330	3,258					18,316
Elgin, E. R	Tp. of St. Thomas,		47	39	Wilson.		—	86	131				
do	St. Andrew's Wd		88	72				160	275				
do	St. Patrick's	do	136	116				252	409				2,197
do	St. George's	do	153	100				253	419				
do	St. David's	do											

Return from the Clerk of the Crown in Chancery, from the Records of the Elections, to the present Legislative Assembly of the Province of Ontario.—*Continued.*

Electoral District.	Electoral Division, consisting of Township, City, Town, Village, District.		Candidates		Total Number of Voters Polled in each Division	No. of Voters on the Voters' Lists in each Division.	Population in each Electoral Division, as shewn by last Census.	Remarks.
Elgin, E. R.	Yarmouth Township, Sub-Div. No. 1	2	Arkell.	76				
do	do	3		54				
do	do	4		32				
do	do	5		32				
do	do	6		15				
do	do	7		31				
do	do	8		30				
do	do	1		31				
do	S. Dorchester Township,	2		47				
do	do	3		63				
do	Malahide Township,	1		59				
do	do	2		60				
do	do	3		33				
do	do	4		46				
do	do	5		34				
do	Bayham Township,	1		46				
do	do	2		70				
do	do	3		36				
do	do	4		29				
do	do	5		29				
do	Village of Vienna			25				
do	Village of Aylmer			168				
				1,000	1,924	3,824	5,178	20,870
Elgin, W. R.	Aldborough Township, No. 1		Hodgins.	57	Munroe. 99	196	192	
do	do	2		76	114	189	252	3,506
do	do	3		82	67	149	149	
do	do	4		82	105	276	276	
do	Dunwich Township,	1		45	76	189	189	
do	do	2		32	93	135	135	
do	do	3		107	40	176	176	3,731
do	do	4		102	23	159	159	
do	do	5		66	32	155	155	

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RETURN from the Clerk of the Crown in Chancery, from the Records of the Elections, to the present Legislative Assembly of the Province of Ontario, &c.—*Continued.*

Electoral District.	Electoral Division, consisting of Township, City, Town, Village, District.	CANDIDATES.			Total Number of Votes Polled in each Division.	No. of Voters on the Voters' Lists in each Division.	Population in each Constituency, as shewn by last Census.	REMARKS.
		Wigle.	Iler.	——				
Essex, S. R.	Colchester, Sub-Division 1	37	63		100	152		
do	do do 2	32	100		131	172		
do	do do 3	33	72		105	198	2,920	
do	do do 4	15	42		57	95		
do	Gosfield, do 1	75	37		112	139		
do	do do 2	54	76		130	171		
do	do do 3	64	72		136	183	2,994	
do	do do 4	38	37		75	99		
do	Malden, do 1	27	69		96	141		
do	do do 2	53	32		85	134	1,566	
do	Mersea, do 1	58	68		126	145		
do	do do 2	91	31		122	135		
do	do do 3	37	40		77	97	3,248	
do	do do 4	74	37		111	137		
do	Pelee Island	10	3		13	19	150	
		1,014	967		1,981	2,846	14,709	
		Graham.	Dawson.	——				
Frontenac	Wolfe Island Township, Div. No. 1	39	69		108	152		
do	do do 2	49	75		124	165	2,737	
do	do do 3	18	72		90	135		
do	Garden Island Village	88			88	119	762	
do	Howe Island Township	11	44		55	76		
do	Pittsburgh Township, Div. No. 1	63	18		81	116		
do	do do 2	50	13		63	128	4,126	
do	do do 3	62	32		94	141		
do	do do 4	71	9		80	172		
do	Storrington Township, do 1	38	8		46	137		
do	do do 2	84	10		94	196	2,882	
do	do do 3	67	8		75	180		
do	Kingston Township, do 1	52	31		83	176		
do	do do 2	24	31		55	113		
do	do do 3	44	23		67	136	4,101	

do	do	do	4	34	24			78	180						
do	do	do	5	31	28			59	128						
do	Portsmouth Village,	do	1	31	48			79	114		1,702				
do	do	do	2	8	56			64	88						
				884	599			1,483	2,652		16,310				
Glengarry	Charlottenburgh Tp., Sub-Div. No. 1			Grant.	McNab.										
do	do		21	107	19			126	181						
do	do		23	133	43			156	222						
do	do			102	43			145	176		6,331				
do	do		4	111	46			157	196						
do	do		15	44	27			71	186						
do	Lancaster Township,			58	56			114	160						
do	do		1	44	48			92	127						
do	do		21	37	75			112	143		4,445				
do	do		23	76	67			143	195						
do	Lochiel Township,		4	36	106			142	192						
do	do		1	20	117			137	167		4,827				
do	do		21	61	79			140	176						
do	do		23	58	58			116	160						
do	Kenyon Township,		4	65	64			129	156						
do	do		1	61	72			133	180		4,951				
do	do		21	59	96			155	196						
do	do		23	73	62			135	161						
			4	1,125	1,078			2,263	2,974		20,524				
				Hon. C. F. Fraser.	Irvine.										
Grenville, S. R.	Augusta, Sub-Division No. 1			79	52			131	176						
do	do		2	83	54			137	170						
do	do		3	83	58			141	175						
do	do		4	43	70			113	125		5,163				
do	do		5	52	62			114	164						
do	do		6	66	54			106	130						
do	do		7	66	61			127	157						
do	do		8	122	64			76	92						
do	Edwardsburgh,		1	75	58			131	170						
do	do		2	78	60			138	204						
do	do		3	63	55			118	168		5,417				
do	do		4	82	71			153	204						
do	do		5	88	67			155	188						
do	do		6	52	80			132	162						
do	Prescott, East Ward			86	47			133	204						
do	West do			89	50			130	243		2,617				
do	South do			44	30			94	175						
				1,136	993			2,129	2,997		13,197				

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		McFayden.	Scott.	——				
Grey, N. R.	Derby, Division No. 1..	35	53		88	130	1,946	
do	do do 2..	51	47		98	112		
do	do do 3..	45	59		104	140		
do	Keppel, Colpoy Division	28	59		87	160	2,174	
do	do Big Bay do	54	46		97	162		
do	do Centre do	29	42		71	109		
do	do South do	23	34		57	106		
do	Owen Sound, River Ward	90	61		151	232	3,369	
do	do Centre do	58	72		130	233		
do	do Bay do	49	89		138	207		
do	Sarawak, Ward No 1	36	68		104	110	680	
do	Sullivan, Division No 1	49	56		105	133	3,151	
do	do do 2	34	27		61	108		
do	do do 3	40	91		131	167		
do	do do 4	46	42		88	130		
do	St. Vincent, do 1	47	61		108	172	4,974	
do	do do 2	50	69		119	161		
do	do do 3	85	80		165	204		
do	do do 4	37	27		64	82		
do	do do 5	64	76		140	187		
do	do do 6	38	65		103	159		
do	Sydenham, do 1	60	29		89	162	4,011	
do	do do 2	42	56		98	138		
do	do do 3	58	46		104	165		
do	do do 4	46	41		87	125		
do	do do 5	58	35		93	123		
		1,249	1,431		2,680	3,965	20,305	
		Brown.	Lauder.	——				
Grey, E. R.	Artemesia, Division No. 1	33	39		92	164	3,484	
do	do do 2	35	40		76	157		
do	do do 3	31	119		150	204		
do	do do 4	17	80		97	154		

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Haldimand	Cayuga, Division No. 1	Baxter. 91	Waldbrook. 27	——	118	155	803	
do	Cayuga North, do 1	113	63		176	241	2,012	
do	do do 2	123	25		148	203		
do	Cayuga South	65	76		141	205	972	
do	Caledonia	54	103		157	209	1,246	
do	Dunn	46	120		166	225	1,049	
do	Oneida, Division No. 1	68	83		151	204	3,183	
do	do do 2	117	89		206	268		
do	Seneca, do 1	115	14		129	181	3,282	
do	do do 2	89	56		145	184		
do	do do 3	64	67		131	185		
do	Rainham, do 1	73	59		132	186	2,067	
do	do do 2	82	57		139	172		
do	Walpole, do 1	65	77		142	175		
do	do do 2	100	53		153	184		
do	do do 3	76	57		133	159	5,477	
do	do do 4	41	55		96	119		
do	do do 5	56	105		161	193		
do	do do 6	38	78		116	155		
		1,476	1,264		2,740	3,613	20,091	
Halton	Esquesing Township, Division 1	Barber. 66	Beaty. 28	——	94	132		
do	do do 2	33	55		88	238		
do	do do 3	61	64		125	187		
do	do do 4	47	24		71	119	6,139	
do	do do 5	52	28		80	116		
do	do do 6	82	42		124	174		
do	do do 7	31	48		79	.....	.....	Same Voters' List as used in No. 2 Division.
do	Trafalgar Township, do 1	47	79		126	179		
do	do do 2	53	92		145	218		
do	do do 3	70	71		141	196		
do	do do 4	47	53		100	143	5,027	

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		Appleby.	Wilson.	Potts.				
Hastings, E. R.	Tyendinaga, Sub Division No. 1	113	26	.....	139	162		
do	do do 2	97	11	.....	108	163		
do	do do 3	111	7	.....	118	176		
do	do do 4	40	43	1	84	149	7,573	
do	do do 5	80	1	.....	81	133		
do	do do 6	109	11	1	121	179		
do	do do 7	72	1	.....	73	123		
do	Hungerford, Sub-Division No. 1	3	74	2	79	143		
do	do do 2	34	23	4	61	147		
do	do do 3	25	39	19	83	136		
do	do do 4	29	4	.....	33	84	4,633	
do	do do 5	9	9	.....	18	77		
do	Millpoint	109	24	2	135	195		
		1,004	571	44	1,679	2,885	17,392	
		Boulter.	O'Flynn.	——				
Hastings, N. R.	Huntingdon Township, Div. No. 1	55	66	.....	121	151	2,853	
do	do do 2	75	58	.....	133	157		
do	do do 3	78	38	.....	116	146		
do	Rawdon Township, Division No. 1	88	36	.....	124	165	3,688	
do	do do 2	42	68	.....	110	143		
do	do do 3	107	35	.....	142	179		
do	do do 4	85	34	.....	119	180		
do	Elzivir	44	42	.....	86	111	1,393	Including Grimsthorpe.
do	Madoc Township, Division No. 1	44	113	.....	157	243	3,479	
do	do do 2	97	45	.....	142	174		
do	do do 3	42	54	.....	96	156		
do	Tudor, Wallaceton, &c	29	66	.....	95	137	1,055	
do	Dungannon and Faraday	12	13	.....	25	30		
do	Carlow and Mayo	6	.....	.....	6	11	285	
do	Marmora and Lake	85	45	.....	130	170	1,699	
do	Monteagle and Wicklow ..	1	25	.....	26	33		

do	Stirling Village	70	43		113	147	779	
		960	781	.....	1,741	2,333	15,231	
Hamilton		Williams.		.....	By acclamation.		26,716	
		Gibson.	Vannorman.	——				
Huron, E. R	McKillop, Sub-Division No. 1	16	39	.....	55	174	3,808	
do	do do 2	72	60	.....	132	173		
do	do do 3	52	48	.....	100	160		
do	do do 4	75	12	.....	87	128		
do	Howick, do 1	33	38	.....	71	151	5,417	
do	do do 2	39	109	.....	148	178		
do	do do 3	65	57	.....	122	162		
do	do do 4	48	76	.....	124	162		
do	do do 5	45	86	.....	131	168		
do	do do 6	35	75	.....	110	137		
do	Wroxeter	36	13	.....	49	66	3,202	
do	Turnberry, Sub-Division No. 1	24	19	.....	43	52		
do	do do 2	86	62	.....	148	185		
do	do do 3	59	64	.....	123	157		
do	Hullett, do 1	53	31	.....	84	117	3,678	
do	do do 2	11	36	.....	47	109		
do	do do 3	84	17	.....	101	146		
do	do do 4	57	18	.....	75	164		
do	Morris, do 1	59	94	.....	153	189	3,952	
do	do do 2	67	70	.....	137	173		
do	do do 3	41	89	.....	130	184		
do	do do 4	61	42	.....	103	148		
do	Grey, do 1	89	35	.....	124	160	3,855	
do	do do 2	93	28	.....	121	160		
do	do do 3	74	30	.....	104	136		
do	do do 4	94	59	.....	153	186		
do	Brussels	62	54	.....	116	153	23,912	
		1,530	1,361	.....	2,891	4,078		
		Bishop.	Case.	——				
Huron, S. R	Tuckersmith, Division No. 1	62	79	.....	141	194	3,699	
do	do do 2	77	21	.....	98	154		
do	do do 3	92	24	.....	116	162		
do	Usborne, do 1	66	57	.....	123	152	3,831	
do	do do 2	53	104	.....	157	180		
do	do do 3	63	58	.....	121	153		
do	do do 4	85	18	.....	103	139		

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		Bishop.	Case.	——				
Huron, S. R.	Stephen, Division No. 1	37	97		134	183		
do	do do 2	81	58		139	184	4,349	
do	do do 3	69	33		102	153		
do	do do 4	26	59		85	130		
do	Hay, do 1	73	45		118	150		
do	do do 2	88	41		129	173	3,897	
do	do do 3	80	15		95	137		
do	do do 4	54	27		81	115		
do	Stanley, do 1	78	41		119	156		
do	do do 2	42	92		134	188	3,804	
do	do do 3	41	50		91	145		
do	do do 4	65	61		126	162		
do	Goderich Township, Div. No. 3	43	78		121	152		
do	do do 4	20	85		105	162	3,615	
do	do do 6	6	17		23	33		
do	Seaforth Town, do 1	27	39		66	108		
do	do do 2	48	48		96	156	1,368	
do	do do 3	19	23		42	72		
do	Exeter Village do 1	45	92		137	170		
		1,440	1,362		2,802	3,863	24,563	
		Ross.	Davison.	——				
Huron W. R.	Town of Goderich, Sub-Div. No. 1	42	44		86	140		
do	do do 2	68	49		117	188		
do	do do 3	50	39		89	135		
do	do do 4	37	24		61	102	3,954	
do	do do 5	40	36		76	134		
do	do do 6	43	41		84	142		
do	do do 7	18	34		52	76		
do	Township of Goderich, do 1	22	70		92	159		
do	do do 2	24	50		74	108	3,615	
do	do do 3	33	59		92	124		
do	Township of Colborne, do 1	66	26		92	150		

do	do	do	2	43	42		85	130	2,429
do	do	do	3	52	42		94	127	
do	do	do	4	35	40		75	104	
do	Township of E. Wawanosh,	do	1	84	59		143	190	
do	do	do	2	71	70		141	171	2,651
do	do	do	3	70	39		109	138	
do	Township of W. Wawanosh,	do	1	57	69		126	181	
do	do	do	2	38	54		92	134	2,748
do	do	do	3	70	22		92	164	
do	Township of Ashfield,	do	1	36	72		108	144	
do	do	do	2	38	60		98	130	
do	do	do	3	65	54		119	165	3,893
do	do	do	4	58	71		129	161	
do	do	do	5	69	26		95	125	
do	Township of Turnberry,	do	1	43	39		82	114	
do	Village of Wingham,	do	1	45	86		131	180	
do	Town of Clinton,	do	1	79	54		133	187	
do	do	do	2	47	41		88	137	2,016
do	do	do	3	50	46		96	164	
do	Township of Hullett,	do	2	4	17		21	34	
do	do	do	4	27	14		41	60	
do	do	do	5	71	14		85	119	
				1,595	1,503		3,098	4,517	21,306

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				McKellar.	Laird.	—			
Kent, E. R.	Harwich, Division No. 1			43	46		89	164	
do	do	do	2	55	58		113	200	
do	do	do	3	52	92		144	204	
do	do	do	4	30	62		92	158	5,974
do	do	do	5	57	78		135	182	
do	do	do	6	92	59		151	216	
do	do	do	7	56	61		117	158	
do	Howard,	do	1	83	52		135	182	
do	do	do	2	67	80		147	187	
do	do	do	3	59	50		109	140	
do	do	do	4	65	31		96	124	4,512
do	do	do	5	62	36		98	162	
do	do	do	6	28	65		93	132	
do	Orford,	do	1	90	42		132	181	
do	do	do	2	82	35		117	150	
do	do	do	3	66	31		97	129	3,113
do	do	do	4	64	34		98	168	
do	Bothwell, St. Lawrence Ward			5	3		8	17	
do	do	St. Andrew's	do	26	19		45	63	995
do	do	St. George's	do	32	10		42	61	
do	Zone, Division No. 1			25	18		43	72	
do	do	do	2	45	56		101	170	1,083
do	Thamesville			39	35		74	112	

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		McKellar.	Laird.	——				
Kent, E. R.	Dresden, Division No. 1	40	45		85	146		
do	do do 2	36	36		72	109		
do	Camden, do 1	30	39		69	191		
do	do do 2	41	78		119	181	4,095	
do	do do 3	55	77		132	195		
		1,425	1,328		2,753	4,154	19,772	
		Coutts.	White.	——				
Kent, W. R.	Chatham Town, Division No. 1	61	44		105	210		
do	do do 2	50	12		62	159		
do	do do 3	57	27		84	165		
do	do do 4	40	28		68	161		
do	do do 5	48	45		93	161		
do	do do 6	42	34		76	159	5,873	
do	do do 7	25	12		37	103		
do	do do 8	53	24		77	145		
do	do do 9	46	23		69	156		
do	do do 10	55	63		118	196		
do	do do 11	56	28		84	161		
do	Chatham Township, do 1	51	55		106	179		
do	do do 2	79	56		135	181		
do	do do 3	53	38		91	160	5,036	
do	do do 4	31	48		79	149		
do	do do 5	37	68		105	173		
do	do do 6	33	47		80	127		
do	Dover Township, do 1	47	49		96	133		
do	do do 2	60	41		101	138	3,315	
do	do do 3	107	23		130	185		
do	Raleigh Township, do 1	62	60		122	165		
do	do do 2	54	49		103	173		
do	do do 3	52	85		137	200	4,081	
do	do do 4	36	90		126	176		
do	do do 5	30	62		92	148		

do	Tilbury East, Township	do	1	86	62	.....	148	205	1,846		
do	do	do	2	53	57	.....	110	215			
do	Romney Township,	do	..	36	64	.....	100	179	711		
				1,440	1,294	.....	2,734	4,662	20,862		
				McCammon.	Robinson.	——					
Kingston	Kingston City, Sub-Division No.		1	49	76	.....	125	198			
do	do	do	2	58	65	.....	123	188			
do	do	do	3	52	52	.....	104	194			
do	do	do	4	30	40	.....	70	121			
do	do	do	5	51	49	.....	100	193			
do	do	do	6	61	77	.....	138	223	1,723	Victoria Ward.	
do	do	do	7	82	63	.....	145	227	2,066	Rideau	do
do	do	do	8	73	59	.....	132	204	2,514	Frontenac	do
do	do	do	9	55	102	.....	157	240	862	St. Lawrence Ward.	
do	do	do	10	69	43	.....	112	163	1,262	Ontario	do
do	do	do	11	74	99	.....	173	232	1,944	Sydenham	do
do	do	do	12	58	89	.....	147	200	2,036	Cataraqui	do
do	do	do	13	34	61	.....	95	141			
do	do	do	14	45	60	.....	105	150			
				791	935	.....	1,726	2,674	12,407		
				Graham.	Shirley.	——					
Lambton, E. R.	Bosanquet, Division No.		1	67	47	.....	114	163	4,425		
do	do	do	2	62	54	.....	116	169			
do	do	do	3	51	44	.....	95	148			
do	do	do	4	66	33	.....	99	151			
do	Plympton,	do	1	90	52	.....	142	195	5,259		
do	do	do	2	89	59	.....	148	206			
do	do	do	3	90	51	.....	141	184			
do	do	do	4	86	55	.....	141	195			
do	Warwick,	do	1	26	79	.....	105	134	4,077		
do	do	do	2	85	89	.....	174	226			
do	do	do	3	108	44	.....	152	212			
do	do	do	4	87	78	.....	165	216			
do	Brooke,	do	1	55	33	.....	88	123	2,538		
do	do	do	2	72	73	.....	145	186			
do	do	do	3	30	74	.....	104	145			
do	do	do	4	54	67	.....	121	141			
do	Euphemia,	do	1	59	65	.....	124	168	2,390		
do	do	do	2	78	30	.....	108	161			
do	do	do	3	58	52	.....	110	176			
do	Forest Village,	do	1	61	71	.....	132	188			
do	Watford	do	1	30	60	.....	90	133			
do	Wyoming,	do	1	39	52	.....	91	101			
				1,443	1,262	.....	2,705	3,824	19,289		

RETURN from the Clerk of the Crown in Chancery, from the Records of the Elections, to the present Legislative Assembly of the Province of Ontario, &c.—*Continued.*

Electoral District.	Electoral Division, consisting of Township, City, Town, Village, District.	Candidates.			Total Number of Votes Polled in each Division.	No. of Voters on the Voters' Lists in each Division.	Population in each Constituency, as shewn by last Census.	Remarks.
		Chalmers.	Pardee.	——				
Lambton, W. R.	Sarnia Town, South Ward	41	68		109	186		
do	do Middle Ward, No. 1	37	49		86	174		
do	do do 2	22	33		55	76	2,929	
do	do North Ward, No. 1	30	71		101	170		
do	do do 2	22	36		58	87		
do	Petrolia Town, Sub-Div. No. 1	28	67		95	167		
do	do do 2	24	64		88	189	2,651	
do	Oilsprings, Town Hall	22	18		40	128	551	
do	Enniskillen Township, No. 1	28	50		78	171		
do	do do 2	41	49		90	212	1,528	
do	do do 1	41	56		97	140		
do	Dawn do 2	34	61		95	160	1,116	
do	do do 1	23	87		110	188		
do	Sombra do 2	23	63		86	190	3,397	
do	do do 3	56	49		105	182		
do	do do 1	36	45		81	128		
do	Moore do 2	29	74		103	146		
do	do do 3	15	110		125	170	3,998	
do	do do 4	32	90		122	189		
do	do do 5	38	55		93	176		
do	Sarnia do 1	35	74		109	156		
do	do do 2	32	51		83	127	3,438	
do	do do 3	65	52		117	203		
		754	1,372		2,126	3,715	19,608	
		Caldwell.	Mostyn.	——				
Lanark, W. R.	Ramsay, Sub-Division No. 1	37	38		75	96		
do	do do 2	39	59		98	119	3,218	
do	do do 3	42	72		114	132		
do	do do 4	35	33		68	100		
do	Almonte do 1	50	135		185	231	2,080	
do	do do 2	40	127		167	204		

do	Pakenham	do	1	33	83		116	143	2,426
do	do	do	2	48	71		119	139	
do	Lanark	do	1	104	24		128	158	2,270
do	do	do	2	76	79		155	177	
do	Carleton Place	do	1	70	54		124	156	1,205
do	do	do	2	40	53		93	121	
do	Lanark Village,	do	1	76	16		92	126	740
do	Darling	do	1	40	17		57	80	801
do	Dalhousie, North Sub-Div.		No. 1	67	49		116	140	2,295
do	Sherbrooke & Lavant	do	2	90	23		113	146	
				887	913		1,800	2,248	15,035

				Code.	Doran.				
Lanark, S. R.	Perth, East Ward			58	58		116	192	2,375
do	do Centre Ward			52	47		99	194	
do	do West Ward			65	50		115	184	
do	Bathurst, Division No.		1	27	98		125	168	3,220
do	do	do	2	62	78		140	207	
do	do	do	3	45	40		85	107	
do	Drummond	do	1	53	43		96	167	2,467
do	do	do	2	51	22		73	80	
do	do	do	3	66	51		117	155	
do	do	do	4	70	29		99	113	
do	Sherbrooke, South			70	25		95	120	833
do	Beckwith, Division No.		1	74	46		120	165	1,977
do	do	do	2	57	77		134	177	
do	Montague	do	1	57	35		92	103	3,187
do	do	do	2	68	49		117	160	
do	do	do	3	69	47		116	138	
do	Smith's Falls	do	1	68	85		153	179	1,150
do	do	do	2	54	47		101	126	
do	Elmsley, North	do	1	83	31		114	164	1,418
do	do	do	2	47	21		68	90	
do	Burgess, North			38	86		124	179	1,358
				1,234	1,065		2,299	3,168	17,985

				Merrick.	Smith.				
Leeds and Grenville, N. R.	Kitley Township, Division No.		1	68	19		87	166	2,870
do	do	do	2	73	51		124	196	
do	do	do	3	94	46		140	199	
do	Wolford Township	do	1	69	18		87	128	2,550
do	do	do	2	43	54		97	143	
do	do	do	3	74	46		120	185	
do	Elmsley Township	do	1	29	34		63	136	1,241
do	do	do	2	20	27		47	77	

RETURN from the Clerk of the Crown in Chancery, from the Records of the Elections, to the present Legislative Assembly of the Province of Ontario, &c. —*Continued.*

Electoral District.	Electoral Division, consisting of Township, City, Town, Village, District.	CANDIDATES.			Total Number of Votes Polled in each Division.	No. of Voters on the Voters' Lists in each Division.	Population in each Constituency, as shewn by last Census.	REMARKS.
		Merrick.	Smith.	——				
Leeds and Grenville, N. R.	Oxford Township, Div. No. 1	107	20		127	199		
do	do do 2	81	41		122	190	4,051	
do	do do 3	72	53		125	162		
do	do do 4	101	40		141	194		
do	Grover, South, Tp., do 1	78	64		142	207	1,023	
do	Merrickville Village, do 1.	55	70		125	161	923	
do	Kemptville do do 1.	71	63		134	180	872	
		1,035	646		1,681	2,523	13,530	
		Fields.	Preston	——				
Leeds, S. R.	Bastard and Burgess Township, Sub-Division No. 1	43	103		146	152		
do	Bastard and Burgess Township, Sub-Division No. 2	58	69		127	151		
do	Bastard and Burgess Township, Sub-Division No. 3	97	18		115	117	3,540	
do	Bastard and Burgess Township, Sub-Division No. 4	59	40		99	157		
do	Bastard and Burgess Township, Sub-Division No. 5	71	51		122	123		
do	Crosby, N., Tp., Sub-Div. No. 1.	57	52		109	167		
do	do do 2	26	99		125	145	2,127	
do	Crosby, S., do 1.	90	79		169	189		
do	do do 2.	32	94		126	180	2,054	
do	Leeds and Lansdown, Rear of, Sub-Division No. 1	48	96		144	146		
do	Leeds and Lansdown, Rear of, Sub Division No. 2	52	89		141	145	2,363	

do	Leeds and Lansdown, Rear of, Sub-Division No. 3	27	85	.....	112	121	1,390
do	Escott, Front of, Sub-Div. No. 1	72	53	.....	125	158	
do	do do 2	28	34	.....	62	73	
do	Leeds and Lansdown, Front of, Sub-Division No. 1	35	98	.....	133	198	3,760
do	Leeds and Lansdown, Front of, Sub-Division No. 2	34	43	.....	77	127	
do	Leeds and Lansdown, Front of, Sub-Division No. 3	49	117	.....	166	212	
do	Leeds and Lansdown, Front of, Sub-Division No. 4	41	67	.....	108	143	2,020
do	Gananoque Tp., Sub-Div. No. 1	59	68	.....	127	194	
do	do do 2	33	49	.....	82	114	
do	do do 3	31	77	.....	108	147	
		1,042	1,481	.....	2,523	3,159	17,254

		Grange.	Casey.	Booth.			
Lennox	Ernestown, Division No. 1	20	12	38	70	128	4,233
do	do do 2	44	49	26	119	191	
do	do do 3	29	14	144	187	262	
do	do do 4	75	29	1	105	168	
do	do do 5	27	37	37	101	226	
do	Richmond, do 1	96	38	1	135	234	3,431
do	do do 2	85	34	.....	119	200	
do	do do 3	76	2	.....	78	134	
do	do 4	54	7	5	66	144	
do	Fredericksburgh, N., do 1	60	34	5	99	168	1,722
do	do do 2	56	31	1	88	204	
do	do S., do 1	43	12	17	72	156	1,497
do	do do 2	30	21	13	64	136	
do	Bath, do 1	6	34	33	73	111	601
do	Adolphustown, do 1	43	26	13	82	140	756
do	Amherst Island, do 1	28	9	32	69	150	1,189
do	Napanee, Centre Ward, Division No. 1	112	32	7	151	254	2,967
do	Napanee, North Division of Centre Ward, Division No. 2	54	14	2	70	186	
do	Napanee, West, Division No. 3	82	40	2	124	282	
do	do East, do 4	45	35	7	87	190	
		1,065	510	384	1,959	3,664	16,396

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Electoral District.	Electoral Division, consisting of Township, City, Town, Village, District.	CANDIDATES.			Total Number of Votes Polled in each Division.	No. of Voters on the Voters' Lists in each Division.	Population in each Constituency, as shewn by last Census.	REMARKS.
		Neelon.	Rykert.	——				
Lincoln	St. Catharines, St. Paul's Ward, No. 1	92	57		149	436		
do	St. Catharines, St. Paul's Ward, No. 2	82	73		155			
do	St. Catharines, St. Patrick's Ward, No. 1	88	80		168	428		
do	St. Catharines, St. Patrick's Ward No. 2	70	76		146			
do	St. Catharines, St. Andrew's Ward, No. 1	61	73		134	402	7,864	
do	St. Catharines, St. Andrew's Ward, No. 2	73	38		111			
do	St. Catharines, St. George's Ward, No. 1	71	53		124	427		
do	St. Catharines, St. George's Ward, No. 2	89	49		138			
do	St. Catharines, St. Thomas' Ward, No. 1	78	53		131	403		
do	St. Catharines, St. Thomas' Ward, No. 2	67	51		118			
do	Grantham, Sub-Division No. 1	37	63		100	166	3,929	
do	do do 2	39	75		114			
do	do do 3	64	76		140	210		
do	do do 4	29	38		67	92		
do	Niagara Township, No 1	57	36		93	142	2,093	
do	do 2	87	42		129	159		
do	do 3	65	87		152	188		
do	Niagara Town, Eastern Ward	24	48		72	110	1,600	
do	do Centre do	25	46		71	125		
do	do Western do	30	54		84	142		
do	Merritton Village	78	94		172	127	1,081	
do	Port Dalhousie Village	128	39		167	210		
do	South Township, No. 1	85	69		154	126	1,893	
do	do 2	62	74		136	166		

do	.....	Clinton Township, No. 1		72	89	.....	161	188	2,782						
do	.....	do 2		63	85	.....	148	169							
do	.....	do 3		71	67	.....	138	139							
do	.....	Grimsby Township, do 1		69	83	.....	152	177							
do	.....	do 2		32	61	.....	93	133	3,123						
do	.....	do 3		89	66	.....	155	172							
do	.....	do 4		77	59	.....	136	161							
				2,065	1,954	.....	4,019	5,341	24,365						
					Meredith.	Durand.	—								
London	.....	London, 1 Ward, Div. No. 1		66	58	.....	124	227	2,395						
do	.....	do 2		55	61	.....	116	194							
do	.....	do 3		67	57	.....	124	156							
do	.....	do 1	2	71	33	.....	104	207							
do	.....	do 2		64	49	.....	113	194	2,736						
do	.....	do 3		49	34	.....	83	132							
do	.....	do 4		32	47	.....	79	142							
do	.....	do 1	3	65	61	.....	126	236							
do	.....	do 2		35	30	.....	65	126							
do	.....	do 3		109	85	.....	194	293	3,586						
do	.....	do 4		27	34	.....	61	88							
do	.....	do 5		23	48	.....	71	104							
do	.....	do 6	4	43	50	.....	93	194							
do	.....	do 1		25	33	.....	58	125	1,210						
do	.....	do 2	5	65	76	.....	139	208							
do	.....	do 3		58	56	.....	114	199							
do	.....	do 4		74	77	.....	151	250	2,590						
do	.....	do 5		30	40	.....	90	143							
do	.....	do 6		25	10	.....	35	51							
do	.....	do 1		45	53	.....	98	170							
do	.....	do 2	6	79	79	.....	158	240	2,175						
do	.....	do 3		95	42	.....	137	183							
do	.....	do 4	7	44	47	.....	88	137							
do	.....	do 5		34	30	.....	64	109	1,134						
				1,311	1,170	.....	2,481	4,108	15,826						
					Evans.	Tooley.	—								
Middlesex, E. R.		Dorchester, Division No. 1		58	102	.....	160	194	4,117						
do		do 2		66	74	.....	140	172							
do		do 3		84	45	.....	129	162							
do		do 4		58	108	.....	166	199							

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		Evans.	Tooley.	——				
Middlesex, E. R.	London, Division No. 1	71	103		174	265		
do	do do 2	56	64		120	177		
do	do do 3	45	97		142	212		
do	do do 4	96	69		165	221		
do	do do 5	53	95		148	207		
do	do do 6	51	83		134	229		
do	do do 7	79	95		174	258	10,991	
do	do do 8	45	107		152	216		
do	do do 9	70	84		154	224		
do	do do 10	39	96		135	181		
do	do do 11	51	75		126	220		
do	do do 12	42	79		121	184		
do	do do 13	29	102		131	184		
do	Nissouri, do 1	50	97		147	186		
do	do do 2	56	71		127	173	3,561	
do	do do 3	73	52		125	173		
do	do do 4	99	39		138	171		
do	Westminster, do 1	136	47		183	236		
do	do do 2	110	77		187	257		
do	do do 3	121	82		203	294	6,386	
do	do do 4	115	84		199	208		
do	do do 5	70	94		164	215		
do	do do 6	106	64		170	228		
		1,929	2,185		4,114	5,646	25,055	
		Smith.	McDougall.					
Middlesex, N. R.	Williams, East, Division No. 1	80	60		140	175		
do	do do 2	43	54		97	121	2,853	
do	do do 3	53	71		124	175		
do	do West, do 1	52	51		103	156		
do	do do 2	23	94		117	156	3,427	
do	do do 3	35	40		75	129		

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		Haney.	Hill.	——				
Muskoka	Caistor, Division No. 1	53	41		94	140	2,166	
do	do do 2	72	23		95	135		
do	do do 3	52	59		111	139		
do	Gainsborough, do 1	96	51		147	195	3,016	
do	do do 2	65	42		107	150		
do	do do 3	113	65		178	197		
do	do do 4	85	14		99	119		
do	Pelham, do 1	104	31		135	180	2,515	
do	do do 2	136	18		154	192		
do	do do 3	113	45		158	191		
do	Wainfleet, do 1	9	71		80	98	2,673	
do	do do 2	76	63		139	162		
do	do do 3	69	71		140	193		
do	do do 4	38	64		102	162		
do	Canborough, do 1	60	44		104	138	1,209	
do	do do 2	68	37		105	150		
do	Moulton & Sherbrooke, Div. No. 1	18	108		126	168	2,099	
do	do do do 2	33	42		75	144		
do	do do do 3	66	61		127	175		
do	Dunnville, Division No. 1	43	69		112	162	1,452	
do	do do 2	43	81		124	183		
		1,412	1,100		2,512	3,373	15,130	
Muskoka and Parry Sound	Morrison Township, Division 1	Long.	Miller.	——				
do	Muskoka, do do 2	25	33		58	79	601	
do	Draper & Oakley do do 3	27	57		84	125	482	
do	Medora & Wood do do 4	65	20		85	141	521	Including Ryde.
do	Humphrey do do 5	4	13		17	25	672	Unorganized Township.
do	Foley do do 6	23	37		60	93		
do	Stisted do do 7	10	46		56	87		
do		12	17		29	51		

do	Macaulay	do	do 8	98	41		139	210	868		
do	Monck	do	do 9	50	16		66	89	535		
do	Stephenson	do	do 10	28	37		65	121	505		
do	McDougall	do	do 11	13	84		97	146			
do	McKellar	do	do 12	2	33		35	65			
do	Watt & Cardwell	do	do 13	46	86		82	113	711		
do	McLean & Ridout	do	do 14	15	16		31	59	238	Includes Brunel and Franklin.	
do	Blair's Meeting House,		do 15	1	36		37	55		Unorganized Townships.	
do	Wabanick School House,		do 16	14	25		39	58	40	Conger	do
do	Turtle Lake Post Office,		do 17		17		17	25	1,052	The Sound,	do
do	Arthur Millan's,		do 18	14	33		47	70	160	Annick Lake,	do
do	Spence Post Office,		do 19	15	21		36	48	227	Lake Vernon,	do
do	Nipissing,		do 20	2	17		19	28			do
do	Magnetawan,		do 21	3	20		23	35	307		do
do	Byng Inlet,		do 22	1	22		23	34			do
do	Huntsville,		do 23	47	92		139	208			do
do	Sequin Falls Post Office,		do 24	10	13		23	34			do
do	Ryde,		do 25	19	16		35	52			do
do	Brunel,		do 26	23	29		52	78			do
do	Severn Mills Post Office,		do 27	25	12		37	55			do
				592	839		1,431	2,184	6,919		

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				McCall.	Richardson.	—				
Norfolk, S. R.	Houghton, Division No.		1	30	66		96	162	2,118	
do	do	do	2	18	80		98	148		
do	do	do	3	34	42		76	119		
do	Walsingham,	do	1	110	22		132	197	5,290	
do	do	do	2	62	63		125	188		
do	do	do	3	22	56		78	119		
do	do	do	4	21	91		112	199		
do	do	do	5	15	69		84	161		
do	do	do	6	28	60		88	172		
do	do	do	7	33	84		117	183		
do	Charlotteville,	do	1	54	75		129	182	4,097	
do	do	do	2	57	57		114	158		
do	do	do	3	22	84		106	167		
do	do	do	4	57	52		109	156		
do	do	do	5	34	59		93	172		
do	do	do	6	39	55		94	142		
do	Woodhouse,	do	1	67	64		131	190	3,865	
do	do	do	2	40	48		88	130		
do	do	do	3	74	41		115	147		
do	do	do	4	76	54		130	181		
do	do	do	5	33	71		104	156		
				926	1,293		2,219	3,429	15,370	

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		Clarke.	McKnight.					
Norfolk, N. R.	Townsend, Division No. 1	94	66		166	194		
do	do do 2	123	22		145	190		
do	do do 3	92	41		133	164		
do	do do 4	101	36		137	191	5,477	
do	do do 5	94	48		142	160		
do	do do 6	71	44		115	160		
do	do do 7	99	25		124	143		
do	do do 8	63	32		95	112		
do	Windham, do 1	41	52		93	117		
do	do do 2	42	90		132	177		
do	do do 3	45	82		127	173		
do	do do 4	45	87		132	189	4,799	
do	do do 5	64	55		119	144		
do	do do 6	48	61		109	197		
do	do do 7	47	59		106	180		
do	Middleton, do 1	28	38		66	92		
do	do do 2	59	81		140	164		
do	do do 3	18	53		71	89	3,261	
do	do do 4	55	53		108	118		
do	do do 5	61	73		134	176		
do	Simcoe, do 1	16	33		49	68		
do	do do 2	47	63		110	165	1,856	
do	do do 3	41	68		109	156		
do	do do 4	23	36		59	104		
		1,417	1,298		2,715	3,583	15,393	
		Cochrane.	Ferris.	Webb.				
Northumberland, E. R.	Colborne Village	81	55	9	145	193	823	
do	Brighton Village, Division No 1	40	76	54	170	232	1,357	
do	do do 2	27	16	23	66	82		
do	Hastings Village	46	40	2	88	126		
do	Cramahe do 1	91	31	16	138	195		

do	do	do	2	37	38	4	79	130		
do	do	do	3	80	45	3	128	176	3,833	
do	do	do	4	63	49	4	116	166		
do	do	do	5	52	68	1	121	170		
do	Brighton,	do	1	26	28	28	82	113		
do	do	do	2	40	59	11	110	150		
do	do	do	3	56	64	14	134	188	3,733	
do	do	do	4	48	30	5	83	115		
do	do	do	5	44	50	24	118	151		
do	Murray,	do	1	62	49	2	113	143		
do	do	do	2	56	73	2	131	172	3,658	
do	do	do	3	89	64	2	155	205		
do	do	do	4	56	59		116	154		
do	Percy,	do	1	50	65	4	119	150		
do	do	do	2	74	62	1	137	181	4,084	
do	do	do	3	88	53		141	180		
do	do	do	4	50	58	1	109	183		
do	Seymour,	do	1	28	57	2	87	111		
do	do	do	2	56	111		167	200		
do	do	do	3	16	73	1	90	116	4,289	
do	do	do	4	48	112		160	182		
do	do	do	5	44	66		110	133		
				1,448	1,551	214	3,213	4,306	21,557	

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Northumberland,				Hargraft.	Gifford.					
W. R.	Cobourg, Division No.		1	63	58		121	197		
do	do	do	2	39	55		94	144		
do	do	do	3	77	47		124	202		
do	do	do	4	59	53		112	184	4,442	
do	do	do	5	61	67		128	197		
do	do	do	6	25	24		49	75		
do	Hamilton Tp.,	do	1	83	66		149	196		
do	do	do	2	66	81		147	188		
do	do	do	3	90	56		146	161	5,720	
do	do	do	4	67	86		153	175		
do	do	do	5	65	64		129	173		
do	Haldimand Tp.,	do	1	70	44		114	172		
do	do	do	2	62	54		116	194		
do	do	do	3	70	57		127	168		
do	do	do	4	65	51		116	195	5,797	
do	do	do	5	67	34		101	146		
do	do	do	6	31	45		76	117		
do	do	do	7	41	59		100	163		
do	do	do	8	68	40		108	161		
do	Alnwick Tp.,	do	1	64	58		122	180	1,369	
do	do	do	2	18	29		47	63		
				1,251	1,128		2,379	3,361	17,328	

RETURN from the Clerk of the Crown in Chancery, from the Records of the Elections, to the present Legislative Assembly of the Province of Ontario, &c.—*Continued.*

Electoral District.	Electoral Division consisting of Township, City, Town, Village, District.	Candidates.			Total Number of Votes Polled in each Division.	No. of Voters on the Voters Lists in each Division.	Population in each Constituency, as shewn by last Census.	Remarks.
		Paxton.	McRae.	——				
Ontario, N. R.	Port Perry, No. 1	59	30		89	148	880	
do	do 2	112	29		141	184		
do	Scugog	51	36		87	121		
do	Brock, No. 1	44	73		117	174	5,175	
do	do 2	14	129		143	181		
do	do 3	18	88		106	147		
do	do 4	25	108		133	163		
do	do 5	39	14		53	76		
do	do 6	62	52		114	158		
do	Thorah, No. 1	27	48		75	138	1,965	
do	do 2	74	93		167	214		
do	do 3	33	42		75	108		
do	Mara, No. 1	85	48		133	172	2,697	
do	do 2	47	42		89	139		
do	do 3	40	59		99	127		
do	do 4	21	19		40	79		
do	Rama	41	27		68	124	904	
do	Scott, No. 1	51	36		87	140	2,775	
do	do 2	34	85		119	179		
do	do 3	46	48		94	177		
do	do 4	48	44		92	161		
do	Village of Uxbridge, No. 1	94	47		141	167	293	
do	do 2	67	36		103	126		
do	Uxbridge Township, No. 1	79	38		117	175	4,762	
do	do 2	79	25		104	171		
do	do 3	75	19		94	140		
do	do 4	77	19		96	149		
do	do 5	71	40		111	167		
do	Reach, No. 1	67	60		127	193	6,809	
do	do 2	62	72		134	191		
do	do 3	64	62		126	193		
do	do 4	57	57		114	184		
do	do 5	45	53		98	160		

do	do 6	50	48	.....	98	126			
		1,858	1,726	.....	3,584	5,252	26,260		
		Brown.	Farewell.	——					
Ontario, S. R.	Whitby Town, Sub-Division No. 1	50	44	.....	94	150			
do	do do 2	57	30	.....	87	133	2,732		
do	do do 3	78	55	.....	133	189			
do	do do 4	53	28	.....	81	125			
do	Oshawa Village, Sub Div. No. 1	69	31	.....	100	162			
do	do do 2	43	39	.....	82	126			
do	do do 3	71	48	.....	119	191	3,185		
do	do do 4	81	40	.....	121	199			
do	do do 5	65	49	.....	114	154			
do	do do 6	69	56	.....	125	180			
do	Pickering Tp., Sub-Div. No. 1	62	62	.....	124	157			
do	do do 2	80	30	.....	110	155			
do	do do 3	49	38	.....	87	105			
do	do do 4	64	97	.....	161	182			
do	do do 5	53	82	.....	135	163	7,375		
do	do do 6	67	77	.....	144	167			
do	do do 7	45	91	.....	136	169			
do	do do 8	49	85	.....	134	164			
do	do do 9	27	54	.....	81	168			
do	Whitby, Sub-Division No. 1	57	49	.....	106	154			
do	do do 2	36	58	.....	94	143	3,220		
do	do do 3	99	90	.....	189	240			
do	do do 4	68	79	.....	147	185			
do	Whitby, East, do 1	21	77	.....	98	127			
do	do do 2	40	69	.....	109	174	3,411		
do	do do 3	82	69	.....	151	199			
do	do do 4	79	54	.....	133	178			
		1,614	1,581	.....	3,195	4,382	19,923		
		Feather-stone.	O'Connor.	O'Donoghue.					
Ottawa	Victoria Ward, Division No. 1	79	9	40	128	226			
do	do do 2	47	10	45	102	167	3,156		
do	do do 3	47	19	13	79	164			
do	Wellington Ward, do 4	56	41	28	125	201			
do	do do 5	52	35	44	131	225			
do	do do 6	57	37	12	106	193	4,039		
do	do do 7	39	48	15	102	193			
do	do do 8	52	45	3	98	161			
do	do do 9	64	78	15	157	252			
do	St. George Ward, do 10	30	71	19	120	217			
do	do do 11	22	50	26	98	191			
do	do do 12	44	47	11	102	198	3,474		
do	do do 13	28	34	5	67	131			
do	do do 14	28	27	15	70	146			

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Electoral District.	Electoral Division, consisting of Township, City, Town, Village, District.	CANDIDATES.			Total Number of Votes Polled in each Division.	No. of Voters on the Voters' Lists in each Division.	Population in each Constituency, as shewn by last Census.	REMARKS.
		Featherstone.	O'Connor.	O'Donoghue				
Ottawa	By Ward, Division No. 15	31	39	28	98	181		
do	do do 16	27	18	13	58	103		
do	do do 17	17	58	57	112	200	5,138	
do	do do 18	18	33	85	136	223		
do	do do 19	9	13	68	90	175		
do	Ottawa Ward, do 20	13	16	69	98	216		
do	do do 21	7	10	78	95	186		
do	do do 22	10	13	83	106	229	5,738	
do	do do 23	12	20	55	87	193		
do	do do 24	11	9	25	45	71		
		800	758	852	2,410	4,442	21,545	
Oxford, N. R.		Hon. Oliver Mowat.			By Acclamation		24,559	
		Hopkins.	McDonald.	Oliver.	Devlin.			
Oxford, S. R.	Ingersoll, Ward No. 1	47	28	102	1	178	294	4,022
do	do do 2	102	47	70	.....	219	348	
do	do do 3	91	27	88	1	207	306	
do	Oxford, West, Sub Div. No. 1	35	34	28	.....	97	155	2,804
do	do do 2	37	5	88	.....	130	165	
do	do do 3	12	38	40	.....	90	150	
do	Oxford, North, do 1	12	11	64	.....	117	153	1,855
do	do do 2	44	11	52	1	108	161	
do	Oxford, East, do 1	48	5	45	.....	98	160	2,610
do	do do 2	38	8	36	1	83	148	
do	do do 3	42	2	42	.....	86	158	

do	Norwich, North,	do	1	45	19	70		134	179			
do	do	do	2	19	19	32		70	160		3,324	
do	do	do	3	44	8	40		92	131			
do	do	do	4	17	4	51		72	118			
do	Norwich, South,	do	1	44	15	71	3	133	195			
do	do	do	2	50	17	36		103	165		3,225	
do	do	do	3	31	5	55		91	138			
do	do	do	4	30	6	28		64	110			
do	Dereham,	do	1	51	25	61		137	184			
do	do	do	2	64	16	50		130	189		5,838	
do	do	do	3	107	8	39		154	201			
do	do	do	4	101	3	48	2	154	188			
do	Tilsonburg,	do	1	43	3	23		69	101			
do	do	do	2	40	6	22		68	101			
do	do	do	3	38	2	24		64	102			
				1,262	372	1,305	9	2,948	4,463		23,678	

				Beynon.	Chisholm.				
Peel	Brampton, Division No.	1		46	48		94	152	
do	do	do	2	36	39		75	137	
do	do	do	3	33	35		68	120	2,090
do	do	do	4	40	60		100	185	
do	Chinguacousy, Nortons,	Div.	1	54	72		126	165	
do	do Mayfield,	do	2	56	74		130	161	
do	do Calbecks,	do	3	79	88		167	205	
do	do Springbrook,	do	4	63	65		128	193	6,129
do	do Alloa,	do	5	70	62		132	169	
do	do Cheltenham,	do	6	56	96		152	205	
do	do Edmonton,	do	7	59	86		145	187	
do	Toronto Gore.								
do	Grahamsville, Division No.	1		37	90		127	163	1,559
do	Castlemore,	do	2	65	40		105	139	
do	Toronto Township.								
do	Merrygolds, S. H.,	do	1	73	75		148	199	1,559
do	Springfield,	do	2	35	27		62	82	
do	Gilleeces,	do	3	62	79		141	182	
do	Cooksville,	do	4	77	43		120	155	
do	Harris' Corners,	do	5	86	58		144	183	5,974
do	Meadowvale,	do	6	69	67		136	174	
do	Palestine,	do	7	51	45		96	116	
do	Malton,	do	8	46	67		113	149	
do	Streetsville,			53	33		86	136	617
				1,246	1,349		2,595	3,557	16,369

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		Campbell.	Daly.	Hay.	Keyes.	Towner.				
Perth, N. R.	Stratford Town, Falstaff Ward		73	53	1		127	195		
do	do Hamlet do	1	75	31			107	172		
do	do Shakespeare do No. 1		63	26	1		90	163		
do	do do do 2		62	33			95	145		
do	do Romeo do 1	1	66	49			116	194	4,313	
do	do do do 2		49	31			80	142		
do	do do do 3		43	37			80	116		
do	do Avon do 1		46	34			80	132		
do	do do do 2		39	20			59	108		
do	North Easthope, Township of, No. 1		12	99			111	174		
do	do do 2		23	83	1		107	158	2,998	
do	do do 3	1	22	91		1	115	162		
do	Ellice, Township of, No. 1		66	48			114	185		
do	do do 2		52	80			132	169	2,886	
do	do do 3		60	23	3		86	160		
do	Logan, do 1	1	97	16			114	151		
do	do do 2		66	30			96	154	3,199	
do	do do 3	1	31	47	1		80	136		
do	do do 4		75	26	1		102	151		
do	Elma, do 1		56	101			157	187		
do	do do 2	1	40	76			117	174	3,616	
do	do do 3		64	44			108	151		
do	do do 4		64	27	1		92	135		
do	Wallace, do 1		4	69			73	110		
do	do do 2		29	66			95	113		
do	do do 3		12	78			90	135	3,581	
do	do do 4		52	27			79	153		
do	do do 5		56	25			81	104		
do	Mornington, do 1		74	39			113	136		
do	do do 2		41	48			89	116		
do	do do 3		87	54			141	171	3,808	
do	do do 4	1	47	49			97	125		
do	do do 5		42	57			99	125		

do	Listowel Town, East Ward		2		8	82				90	123		976						
do	do Centre do				5	67				74	99								
do	do West do				6	81				87	118								
			9		1,707	1,847	9	1		3,573	5,242		25,377						
Perth, S. R.	St. Mary's Town, Division 1					Ballantyne.	Lawrason.												
do	do 2					62	49			111	196		3,120						
do	do 3					67	53			122	199								
do	do 4					40	34			74	122								
do	Blanshard Township, do 1					65	49			114	195								
do	do 2					42	69			111	153								
do	do 3					58	72			130	158								
do	do 4					50	67			117	121		3,005						
do	do 5					26	48			74	100								
do	do 6					44	37			81	122								
do	Downie Township, do 1					75	45			120	151								
do	do 2					84	44			128	169		3,738						
do	do 3					81	54			135	206								
do	do 4					60	88			148	198								
do	S. Easthope Township, do 1					136	47			183	247		2,975						
do	do 2					61	27			88	138								
do	Fullarton Township, do 1					43	108			151	188		2,903						
do	do 2					30	107			137	201								
do	do 3					96	44			140	163								
do	Mitchell Town, do 1					79	47			126	176								
do	do 2					45	46			91	148		1,802						
do	do 3					39	35			74	108								
do	Hibbert Township, do 1					67	67			134	190		3,402						
do	do 2					85	73			158	191								
do	do 3					84	53			137	181								
						1,508	1,325			2,833	3,991		21,145						
Peterborough, E. R	Ashburnham, Sub-Division No. 1					O'Sullivan.	Stratton.												
do	do 2					32	223			74	116		1,197						
do	Asphodel, do 1					41	255			64	90								
do	do 2					77	37			114	191								
do	Belmont and Methuen, do 1					68	53			121	187		3,247						
do	do 2					36	48			84	142								
do	do 3					6	27			33	52								
do	Burleigh, Anstruther, and Clan-					6	4			10	26		1,575						
do	do 2					30	14			44	84								
	dora					27	30			57	80		721						
do	Dysart, No. 1					18	17			35	50								
do	do 2					54	91			165	140		2,671						
do	do 3					74	22			96	124								

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		O'Sullivan.	Stratton.	——				
Peterborough, E. R.	Dummer, No. 1	5	26		31	31	1,951	
do	do 2	24	21		45	67		
do	do 3	16	64		80	114		
do	do 4	4	23		27	38		
do	Otonabee, No. 1	13	64		107	151	3,992	
do	do 2	16	61		107	135		
do	do 3	35	59		94	138		
do	do 4	37	73		130	184		
		750	697		1,456	2,158	15,354	
		Cox.	Scott.	——				
Peterborough, W. R.	Monaghan, South, Division No. 1	41	48		89	103	1,145	
do	do do 2	40	44		84	106		
do	Monaghan, North	60	70		130	186	1,479	
do	Smith, Division No. 1	85	38		123	167	3,428	
do	do 2	79	40		119	170		
do	do 3	72	52		124	145		
do	Ennismore	49	70		119	160	1,104	
do	Harvey	41	48		89	127	670	
do	Galway and Cavendish	25	18		43	53	521	
do	Village of Lakefield	21	37		58	73		
do	Town of Peterboro', 1 Ward, Div. 1	42	62		104	155	4,613	
do	do do 2	43	59		102	136		
do	do 2 do 1	48	72		120	183		
do	do do 2	41	49		90	150		
do	do do 3	41	44		85	123		
do	do 3 do 1	40	37		77	125		
do	do do 2	50	43		93	146		
do	do do 3	61	51		112	150		
do	do 4 Ward	91	43		134	199		
		970	925		1,895	2,659	12,960	

			Harkin.	Pattee.	—			
Prescott	Longueil, Division No. 1		63	32		95	146	1,835
do	do do 2		36	37		73	92	
do	Hawkesbury Village, Div. No. 1		110	16		126	200	1,671
do	do do 2		7	22		29	45	
do	East Hawkesbury, do 1		28	38		66	103	
do	do do 2		32	36		68	101	
do	do do 3		85	18		103	144	4,611
do	do do 4		24	44		68	96	
do	do do 5		44	28		72	125	
do	West Hawkesbury, do 1		49	61		110	152	1,977
do	do do 2		59	41		100	150	
do	Caledonia		47	53		100	182	1,281
do	South Plantagenet, do 1		18	11		29	59	1,575
do	do do 2		40	37		77	168	
do	do do 3		41	11		52	122	
do	North Plantagenet, do 1		57	50		107	211	3,000
do	do do 2		104	35		139	229	
do	Alfred, do 1		75	13		88	162	1,697
do	do do 2		69	8		77	162	
			988	591		1,579	2,649	17,647

			Striker.	Clapp.	—			
Prince Edward	Sophiasburgh, Division No. 1		113	70		183	217	2,702
do	do do 2		92	71		163	211	
do	do do 3		85	41		126	165	
do	Hallowell, do 1		61	57		118	164	3,554
do	do do 2		99	101		200	250	
do	do do 3		85	41		126	145	
do	do do 4		95	35		130	195	
do	do do 5		40	42		82	116	
do	Athol, do 1		81	88		169	221	1,740
do	do do 2		56	79		135	170	
do	Ameliasburgh, do 1		56	56		112	144	3,304
do	do do 2		56	106		162	181	
do	do do 3		52	44		96	123	
do	do do 4		62	40		102	132	
do	do do 5		67	46		113	149	
do	North Marysburgh, do 1		85	84		169	211	1,794
do	do do 2		47	68		115	148	
do	South Marysburgh, do 1		60	82		142	167	2,140
do	do do 2		36	40		76	84	
do	do do 3		35	105		140	163	
do	Wellington Municipality		49	39		88	102	517
do	Picton, Division No. 1		76	56		132	191	2,361
do	do do 2		88	71		159	234	
do	do do 3		32	48		70	81	

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Prince Edward	Hillier, Division No. 1	Striker. 50	Clapp. 54	—	104	130	2,224	
do	do 2	63	83		146	194		
do	do 3	51	52		103	155		
		1,762	1,699		3,461	4,443	20,336	
Renfrew, S. R.		James	Bonfield		By Acclamation		14,099	
Renfrew, N. R.	Algoma, South, Division No. 1	Deacon. 8	Moffat. 15	—	23	27	700	
do	Alice	86	55		141	169	1,563	
do	Bromley, Division No. 1	16	80		96	116	1,428	
do	do do 2	48	42		90	107		
do	Head	3	6		9	15	140	
do	Pembroke Township	39	32		71	111	640	
do	Pembroke Village, Division No. 1	54	26		80	153	1,508	
do	do do 2	11	81		122	187		
do	do do 3	20	72		92	162		
do	Pettewawa	18	22		40	54	370	
do	Rolph, Buchanan, &c.	15	20		35	39	459	Includes Wylie, Fraser and McKay.
do	Ross, Division No. 1	58	46		104	138	1,682	
do	do 2	66	48		114	136		
do	Stafford	71	37		108	134	798	
do	Wilberforce & Algoma, Div. No. 1	71	21		92	92	1,955	
do	do do 2	73	37		110	121		
do	Westmeath, Division No. 1	86	24		110	132	2,632	
do	do do 2	65	76		141	193		
do	do 3	43	34		77	95		
do	Maria	7	3		10			
do	Clara	6	2		8			
		894	779		1,673	2,181	13,875	

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RETURN from the Clerk of the Crown in Chancery, from the Records of the Elections, to the present Legislative Assembly of the Province of Ontario, &c.—*Continued.*

Electoral District.	Electoral Division, consisting of Township, City, Town, Village, District.	CANDIDATES.			Total Number of Votes Polled in each Division.	No. of Voters on the Voters' Lists in each Division.	Population in each Constituency, as shown by last Census.	REMARKS.
		Boulton.	Snelling.	—				
Simcoe, S. R.	Essa, Sub Division No. 1	73	34	.....	107	188	4,221	
do	do do 2	67	74	.....	141	184		
do	do do 3	86	38	.....	124	178		
do	do do 4	61	14	.....	75	117		
do	Gwillimbury, W., Sub-Div. No. 1	43	75	.....	118	164	3,036	
do	do do 2	51	27	.....	78	130		
do	do do 3	47	19	.....	66	115		
do	do do 4	67	39	.....	106	167		
do	Innisfil, do 1	55	43	.....	98	157	5,480	
do	do do 2	58	63	.....	121	195		
do	do do 3	80	32	.....	112	148		
do	do do 4	45	65	.....	110	168		
do	do do 5	99	57	.....	156	218		
do	do do 6	45	40	.....	85	103		
do	Tosorontio, do 1	67	40	.....	107	147	1,570	
do	do do 2	34	14	.....	48	74		
do	Bradford	54	66	.....	120	184	1,130	
do	Alliston	25	20	.....	45	69		
		1,057	760	.....	1,817	2,706	15,437	
		Long.	McConkey.	—				
Simcoe, W. R.	Barrie, St. Andrews, Div. No. 1	87	127	.....	214	281	3,398	
do	do St. Patrick's, do 2	52	34	.....	86	120		
do	do St. George, do 3	75	64	.....	139	234		
do	Collingwood Centre, do 1	157	65	.....	222	326	2,829	
do	do East, do 2	50	16	.....	66	102		
do	do West, do 3	77	37	.....	114	211		
do	Flos, do 1	50	78	.....	128	199	1,756	
do	do do 2	42	98	.....	140	186		
do	do do 3	22	21	.....	43	66		

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RETURN from the Clerk of the Crown in Chancery, from the Records of the Elections, to the present Legislative Assembly of the Province of Ontario, &c.—*Continued.*

Electoral District.	Electoral Division, consisting of Township, City, Town, Village, District.	CANDIDATES.			Total Number of Votes Polled in each Division.	No. of Voters on the Voters' Lists in each Division.	Population in each Constituency, as shewn by last Census.	REMARKS.
Toronto, E. R.	St. Thomas Ward, No. 1	Allen.	Cameron.	Crooks.				
do	do do 2	..	58	37	95	142		
do	do do 3	1	36	51	88	144		
do	do do 4	..	58	46	104	183		
do	do do 5	1	50	53	104	193		
do	do do 6	..	49	63	112	196		Not divided off at taking of Census.
do	do do 7	..	51	52	103	197		
do	do do 8	..	47	40	87	189		
do	St. Lawrence Ward, No. 1	..	38	54	92	204		
do	do do 2	..	39	54	90	156		
do	do do 3	..	39	42	81	165		
do	do do 4	..	57	47	102	169		
do	do do 5	..	52	32	84	166	3,861	
do	do do 6	..	45	28	73	134		
do	do do 7	..	78	46	124	193		
do	St. David's Ward, No. 1	..	60	47	107	180		
do	do do 2	..	74	38	112	180		
do	do do 3	..	64	49	113	190		
do	do do 4	..	70	26	96	160		
do	do do 5	..	40	52	92	145		
do	do do 6	..	70	25	95	169	11,229	
do	do do 7	1	69	30	100	176		
do	do do 8	1	52	40	93	146		
do	do do 9	1	73	28	102	199		
		1	63	22	86	162		
		7	1,849	1,579	3,435	6,312	24,869	
		Bell.	Thomson.	——				
Toronto, W. R.	St. Andrew's Ward, 1 Sub-Div.	38	46		84	228		
do	do 2 do	47	50		97	150		
do	do 3 do	44	49		93	172		
do	do 4 do	58	43		101	198		
do	do 5 do	45	43		88	178		

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RETURN from the Clerk of the Crown in Chancery, from the Records of the Elections, to the present Legislative Assembly of the Province of Ontario, &c.—*Continued.*

Electoral District.	Electoral Division, consisting of Township, City, Town, Village, District.	CANDIDATES			Total Number of Votes Polled in each Division.	No. of Voters on the Voters' Lists in each Division.	Population in each Constituency, as shown by last Census.	REMARKS
		Smith.	McRae.	——				
Victoria, N. R	Fenelon, 1 Division	18	20		38	45		
do	do 2 do	58	60		118	163		
do	do 3 do	66	32		98	121	3,949	
do	do 4 do	72	22		94	123		
do	do 5 do	44	13		57	87		
do	Lutterworth	16	26		42	57	515	Anson and Hindon included.
do	Laxton	37	42		79	129	850	Digby and Longford included.
do	Somerville	57	47		104	178	1,074	
do	Cardiff, 1 Division	6	1		7	30	721	Monmouth and Chandos included.
do	do 2 do	8			8	11		
do	Minden	49	36		85	119	797	
do	Dysart, 1 Division	21	27		48	60		
do	do 2 do	2	4		6	9	655	Dudley and Harcourt included
do	do 3 do	3	1		4	6		
do	Stanhope	11	7		18	33		
do	Snowden	35	10		45	70	390	Glamorgan included.
		724	720		1,444	2,105	13,528	
		Cottingham.	Wood.	——				
Victoria, S. R	Lindsay, 1 Division	38	72		110	132		
do	do 2 do	31	67		98	146		
do	do 3 do	42	61		103	180	4,049	
do	do 4 do	27	43		70	122		
do	do 5 do	30	63		93	174		
do	Ops, 1 do	45	36		81	127		
do	do 2 do	26	31		57	84		
do	do 3 do	45	48		93	164	3,350	
do	do 4 do	30	47		77	116		
do	do 5 do	39	30		69	116		

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RETURN from the Clerk of the Crown in Chancery, from the Records of the Elections, to the present Legislative Assembly of the Province of Ontario, &c.—*Continued.*

Electoral District.	Electoral Division, consisting of Township, City, Town, Village, District.	CANDIDATES.			Total Number of Votes Polled in each Division.	No. of Voters on the Voters' Lists in each Division.	Population in each Constituency, as shewn by last Census.	REMARKS.
		Buchner.	Currie.	—				
Welland	Bertie, Township of, Div. No. 1.	55	63		118	177	2,933	
do	do do 2.	58	49		107	161		
do	do do 3.	60	113		173	216		
do	do do 4.	61	60		121	183		
do	Crowland, Township of, do 1.	54	106		160	203	1,317	
do	do do 2.	37	64		101	121		
do	Humberstone, Tp. of, do 1.	90	62		152	223	2,472	
do	do do 2.	57	89		146	194		
do	do do 3.	65	13		78	138		
do	Stamford, Township of, do 1.	53	87		140	195	2,999	
do	do do 2	66	83		149	221		
do	do do 3.	74	63		137	199		
do	Thorold, Township of, do 1.	93	49		142	208	2,502	
do	do do 2.	67	87		154	212		
do	do do 3.	72	67		139	185		
do	Willoughby, Tp. of, do 1.	44	32		76	118	1,250	
do	do do 2	49	47		96	131		
do	Clifton, Town of, North Ward, Division No. 1	34	28		62	100	1,610	
do	Clifton, Town of, Centre Ward, Division No. 2	74	39		113	193		
do	Clifton, Town of, South Ward, Division No. 3	18	16		34	68		
do	Chippawa, Vil. of, Div. No. 1	71	41		112	165	922	
do	Fort Erie, do do 1.	41	60		101	171	835	
do	Port Colborne, do do 1.	88	90		178	237	988	
do	Thorold, do do 1.	102	64		166	241	1,635	
do	do do do 2	65	72		137	186		
do	Welland, do do 1	40	79		119	170	1,110	
do	do do do 2.	53	96		149	220		
		1,641	1,719		3,360	4,836	20,573	

Wellington, W. R.	Arthur Township, Sub-Div. No. 1		McGowan.	67	McKim.	29	—		96	126	
do	do	2		52		81			133	161	
do	do	3		53		35			108	140	4,376
do	do	4		54		19			73	98	
do	do	5		85		8			93	146	
do	Maryborough Tp.,	1		20		36			63	115	
do	do	2		26		57			83	126	
do	do	3		58		53			111	149	4,418
do	do	4		26		58			84	116	
do	do	5		120		66			186	229	
do	Minto Township,	1		44		92			136	176	
do	do	2		66		83			149	200	4,861
do	do	3		27		62			89	162	
do	do	4		73		41			114	148	
do	do	5		39		63			102	150	
do	Peel Township,	1		37		112			149	179	
do	do	2		39		58			97	138	
do	do	3		39		87			146	185	5,744
do	do	4		44		92			136	179	
do	do	5		77		67			144	170	
do	do	6		57		48			105	140	
do	Arthur Village			43		27			70	92	
do	Clifford do			30		49			79	107	
do	Harriston do	Sub-Div. No. 1		20		47			67	105	
do	do	do	2	19		49			68	116	
do	Mount Forest Vil.,	do	1	140		2			142	182	1,370
do	do	do	2	87		2			89	128	
do	Palmerston, Town of			62		12			74	102	
				1,553		1,455			3,008	4,075	20,769
Wellington, C. R.			Charles		Clarke.			By Acclama-tion.			24,459
Wellington, S. R.			Hon. Peter		Gow.			By Acclama-tion.			14,347

RETURN from the Clerk of the Crown in Chancery, from the Records of the Elections, to the present Legislative Assembly of the Province of Ontario, &c.—*Continued.*

Electoral District.	Electoral Division, consisting of Township, City, Town, Village, District.	CANDIDATES.			Total Number of Votes Polled in each Division.	No. of Voters on the Voters' Lists in each Division.	Population in each Constituency, as shewn by last Census.	REMARKS
		Christie.	Stocks.	——				
Wentworth, N. R.	Beverley, Tp. of, Div. No. 1	77	41		118	177		
do	do do 2	98	41		139	197		
do	do do 3	55	74		129	210	5,803	
do	do do 4	110	34		144	207		
do	do do 5	83	15		98	126		
do	do do 6	54	45		99	136		
do	E. Flamborough, Tp. of, do 1	34	51		85	109		
do	do do 2	78	133		211	248	3,894	
do	do do 3	50	135		185	213		
do	do do 4	70	43		113	138		
do	W. Flamborough, Tp. of, do 1	36	66		102	131		
do	do do 2	45	99		144	179	3,413	
do	do do 3	99	74		173	234		
do	do do 4	81	72		153	182		
do	Dundas, Town of, Valley Ward	71	88		159	236		
do	do Canal do	47	64		111	177	3,135	
do	do Foundry do	57	79		136	204		
do	do Mountain do	54	68		122	177		
		1,199	1,222		2,421	3,284	16,245	
		Sexton.	Spohn.	——				
Wentworth, S. R.	Barton, 1 Division	17	26		43	264	2,865	
do	do 2 do	56	39		95	284		
do	do 3 do	32	15		47	125		
do	Saltfleet, 1 do	58	30		88	250	2,783	
do	do 2 do	25	24		49	142		
do	do 3 do	58	21		79	203		
do	Binbrook, 1 do	63	22		85	190	1,946	
do	do 2 do	10	55		65	164		
do	Glanford, 1 do	63	28		91	160	2,039	
do	do 2 do	36	31		67	121		
do	do 3 do	46	37		83	152		

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RETURN from the Clerk of the Crown in Chancery, from the Records of the Elections, to the present Legislative Assembly of the Province of Ontario, &c. *Continued.*

Electoral District.	Electoral Division, consisting of Township, City, Town, Village, District.	CANDIDATES.			Total Number of Votes Polled in each Division.	No. of Voters on the Voters' Lists in each Division.	Population in each Constituency, as shown by last Census.	REMARKS
		Jackson.	Widdifield.	——				
York, N. R.	Whitechurch Tp., Div. No. 1	47	65	..	112	208		
do	do do 2	55	80	..	135	210		
do	do do 3	25	114	..	139	217	5,011	
do	do do 4	33	62	..	95	177		
do	do do 5	31	66	..	97	154		
do	do do 6	78	33	..	111	189		
do	Gwillimbury East, do 1	35	57	..	92	148		
do	do do 2	30	35	..	65	97		
do	do do 3	29	77	..	106	168	3,934	
do	do do 4	58	52	..	110	165		
do	do do 5	55	40	..	95	141		
do	do do 6	82	47	..	79	124		
do	do North, do 1	34	54	..	88	149	2,304	
do	do do 2	57	56	..	113	168		
do	do do 3	33	55	..	88	146		
do	Georgina, do 1	76	66	..	142	192	1,987	
do	do do 2	71	34	..	105	149		
do	Newmarket, Town of, do 1	79	56	..	135	200	1,760	
do	do do 2	71	66	..	137	204		
do	Aurora, Town of, do 1	47	59	..	106	154	1,132	
do	do do 2	16	44	..	60	93		
do	Holland Landing, Town of, No. 1	47	38	..	85	110	649	
		1,346	1,835	..	3,181	4,867	24,262	

S. J. VANKOUGHNET,
Clerk of the Crown in Chancery.

OFFICE OF THE CLERK OF THE CROWN IN CHANCERY, ONTARIO,
TORONTO, February 7th, 1876.

Supplemental Return of the Elections subsequent to the General Election.

Electoral District.	Electoral Division, consisting of Township, City, Town, Village, District.	Candidates.			Total Number of Votes Polled in each Division.	No. of Voters on the Voters' Lists in each Division.	Remarks.
		McIntyre.	Snetsinger.	——			
Cornwall	Cornwall Township, 1st Division	57	67		124	180	
do	do 2nd do	33	51		84	129	
do	do 3rd do	68	63		131	177	
do	do 4th do	40	89		129	173	
do	do 5th do	44	81		125	169	
do	Cornwall Town, East Ward	49	20		69	138	
do	do Centre Ward	101	43		144	255	
do	do West do	81	67		148	234	
		473	481		954	1,455	
		Rose.	Broder.	——			
Dundas	Village of Iroquois, Sub-Division No. 1	76	49		125	170	
do	Matilda do 1	63	80		143	177	
do	do do 2	55	104		159	206	
do	do do 3	52	72		124	183	
do	do do 4	49	82		131	176	
do	do do 5	33	112		145	188	
do	Williamsburgh, do 1	75	51		126	189	
do	do do 2	79	63		142	186	
do	do do 3	80	66		146	189	
do	do do 4	60	77		137	197	
do	do do 5	68	55		123	177	
do	Winchester, do 1	102	62		164	186	
do	do do 2	45	95		140	155	
do	do do 3	60	59		119	139	
do	do do 4	66	99		165	188	
do	Mountain, do 1	59	111		170	200	
do	do do 2	74	83		157	176	
do	do do 3	63	99		162	190	
do	Morrisburgh, East Ward do 1	48	24		72	98	
do	do West do 2	67	62		129	186	
		1,274	1,505		2,779	3,556	

SUPPLEMENTAL RETURN of the Elections subsequent to the General Election.—*Continued.*

Electoral District.	Electoral Division, consisting of Township, City, Town, Village, District.	CANDIDATES.			Total Number of Votes Polled in each Division.	No. of Voters on the Voters' Lists in each Division.	REMARKS.
		Iler.	Wigle.	——			
Essex, S. R.	Amherstburgh, Division 1	59	82		141	213	
do	do do 2	50	29		79	155	
do	do do 3	31	51		82	135	
do	Anderdon, do 1	42	92		134	185	
do	do do 2	13	103		116	153	
do	Colchester, do 1	96	44		140	196	
do	do do 2	70	62		132	167	
do	do do 3	77	33		110	193	
do	do do 4	52	34		86	168	
do	Gosfield, do 1	41	102		143	165	
do	do do 2	54	70		124	167	
do	do do 3	63	91		154	201	
do	do do 4	24	52		76	95	
do	Malden, do 1	54	48		102	136	
do	do do 2	34	71		105	149	
do	Mersea, do 1	66	81		147	167	
do	do do 2	35	106		141	154	
do	do do 3	40	50		90	105	
do	do do 4	26	99		125	150	
do	Pelee Island	1	10		11	20	
		928	1,340		2,238	3,074	
		Creighton.	McKnight.				
Grey, N. R.	Derby Township, Sub-Division No. 1	51	40		91	144	
do	do do 2	50	46		96	141	
do	do do 3	58	52		110	137	
do	Keppel, do 1	35	19		54	105	
do	do do 2	36	20		56	105	
do	do do 3	52	23		75	159	
do	do do 4	45	43		88	162	
do	Town of Owen Sound, 1st River Ward	43	55		98	147	
do	do 2nd or Centre Ward	49	39		88	154	
do	do 3rd or Bay Ward	41	33		74	154	
do	do 4th or West Ward	66	57		123	188	
do	Sarawak Township	56	53		109	154	
do	St. Vincent Township, Sub-Division No. 1	65	58		123	172	

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SUPPLEMENTAL RETURN of the Elections subsequent to the General Election.

Electoral District.	Electoral Division, consisting of Township, City, Town, Village, District.	CANDIDATES.			Total Number of Votes Polled in each Division.	No. of Voters on the Voters' Lists in each Division.	REMARKS.
		McCraney.	Laird.	——			
Kent, E R.	Harwich Township, Division No. 1	44	78		122	167	
do	do do 2	51	75		126	201	
do	do do 3	12	49		61	209	
do	do do 4	32	59		91	159	
do	do do 5	30	29		59	178	
do	do do 6	89	59		148	138	
do	do do 7	57	60		117	157	
do	Blenheim, Village of	47	80		127	182	
do	Howard Township, Division No. 1	79	55		134	179	
do	do do 2	61	76		137	187	
do	do do 3	52	48		100	143	
do	do do 4	71	27		98	125	
do	do do 5	81	43		124	161	
do	do do 6	30	66		96	134	
do	Oxford Township, do 1	92	50		142	169	
do	do do 2	91	35		126	148	
do	do do 3	77	25		102	128	
do	do do 4	69	33		102	166	
do	Bothwell, Town of, St. Andrew's Ward	39	13		52	75	
do	do St. George's do	35	3		38	59	
do	do St. Lawrence do	12			12	21	
do	Zone Township, Division No. 1	28	17		45	68	
do	do do 2	68	55		123	169	
do	Camden Township, do 1	16	25		41	199	
do	do do 2	45	80		125	181	
do	do do 3	55	82		137	183	
do	Thamesville, Village of	48	43		91	117	
do	Dresden, do Division No. 1	55	38		93	165	
do	do do do 2	43	42		85	145	
		1,509	1,345		2,854	4,313	
		Haney.	Secord.				
Monck	Gainsborough, Division No. 1	90	49		139	195	

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SUPPLEMENTAL RETURN of the Elections subsequent to the General Election. *Continued.*

Electoral District.	Electoral Division, consisting of Township, City, Town, Village, District.	CANDIDATES.			Total Number of Votes Polled in each Division.	No. of Voters on the Voters' Lists in each Division.	REMARKS.
Northumberland, E. R.		Cochrane.	Ferris.	—			
do	Seymour, Division No. 1	36	51		87	111	
do	do do 2	65	108		173	201	
do	do do 3	19	66		85	116	
do	do do 4	51	96		147	177	
do	do do 5	44	56		100	135	
		1,549	1,709		3,258	4,251	
		Paterson.	Paxton.	—			
Ontario, N. R	Port Perry, Division No. 1	31	58		92	152	
do	do do 2	39	82		121	186	
do	Scugog Township	26	33		59	121	
do	Brock Township, Division No. 1	69	37		106	175	
do	do do 2	116	14		130	189	
do	do do 3	79	18		97	145	
do	do do 4	57	28		85	162	
do	do do 5	10	20		30	78	
do	do do 6	46	53		99	154	
do	Thorah Township, do 1	40	26		66	139	
do	do do 2	71	54		125	216	
do	do do 3	40	35		75	107	
do	Mara Township, do 1	31	81		112	171	
do	do do 2	10	55		65	140	
do	do do 3	22	59		81	127	
do	do do 4	12	32		44	80	
do	Rama Township	8	40		48	122	
do	Scott Township, Division No. 1	34	52		86	140	
do	do do 2	79	29		108	179	
do	do do 3	47	35		82	177	
do	do do 4	39	32		71	161	
do	Uxbridge, Village of, do 1	54	83		137	182	

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SUPPLEMENTAL RETURN of the Elections subsequent to the General Election —*Continued.*

Electoral District.	Electoral Division, consisting of Township, City, Town, Village, District.	CANDIDATES.			Total Number of Votes Polled in each Division.	No. of Voters on the Voters' List in each Division.	REMARKS.
		Scott.	Cox.	——			
Peterborough, W. R.	Peterborough, Town of, Div. 1, Ward 1	68	27		95	180	
do	do do 2 do 1	57	39		96	135	
do	do do 1 do 2	62	44		106	189	
do	do do 2 do 2	43	43		86	150	
do	do do 3 do 2	38	36		74	123	
do	do do 1 do 3	33	37		70	125	
do	do do 2 do 3	36	41		77	146	
do	do do 3 do 3	50	52		102	156	
do	do do 4	49	74		123	200	
do	Smith, Township of, Division 1	41	85		126	187	
do	do do 2	45	88		133	162	
do	do do 3	73	70		143	173	
do	Ennismore, Township of	83	62		145	181	
do	Monaghan, North, Division 1	28	26		54	114	
do	do do 2	37	50		87	112	
do	Monaghan, South	84	76		160	196	
do	Harvey	52	38		90	148	
do	Galway	23	36		59	78	
do	Lakefield, Village of	93	70		163	201	
		995	994		1,989	2,956	
		Hogan.	O'Sullivan.	Sargent.			
Peterborough, E. R.	Ashburnham, Division No. 1	15	58	1	77	114	
do	do do 2	15	34	4	53	90	
do	Asphodel, do 1	19	87	22	128	111	
do	do do 2	35	46	35	116	186	
do	do do 3	5	23	60	88	143	
do	Belmont and Methuen, Division No. 1	6	3	20	29	49	
do	do do 2	2	6	5	13	26	
do	do do 3		22	14	36	61	
do	Burleigh, Anstruther and Chandos	23	26	2	51	75	
do	Douro, Division No. 1	15	18	2	35	63	
do	do do 2	46	101	2	149	172	
do	do do 3	24	75	6	105	162	
do	Dummer, do 1		3	28	31	57	
do	do do 2	1	22	27	53	66	

do	do	do	3	18	11	21	50	114
do	do	do	4	10	2	3	15	38
do	Otonabee,	do	1	52	45	7	104	151
do	do	do	2	39	37	17	93	135
do	do	do	3	15	39	31	85	138
do	do	do	4	22	64	30	116	184
				365	722	340	1,427	2,135

				Baker.	Rocque.	Wilson.		
Russell	Osgoode Township, Division No.		1	45	47		92	171
do	do	do	2	59	12		71	144
do	do	do	3	63	38		101	160
do	do	do	4	110	22		132	198
do	do	do	5	85	4		89	145
do	Gloucester Township,	do	1	21	53		74	109
do	do	do	2	53	30		83	154
do	do	do	3	95	9		104	163
do	do	do	4	38	20		58	103
do	do	do	5	65	41		106	187
do	do	do	6	76	22		98	174
do	do	do	7	91	7	1	99	159
do	New Edinburgh, Village of			51	21		72	182
do	Cumberland Township, Division No.		1	55	62		117	183
do	do	do	2	51	19		70	124
do	do	do	3	65	9	1	75	116
do	Clarence Township,	do	1	48	63		111	159
do	do	do	2	53	23	1	77	115
do	do	do	3	27	30		57	134
do	Russell Township,	do	1	118	13	1	132	205
do	do	do	2	23	64	1	88	155
do	do	do	3	7	94		101	150
do	Cambridge			36	31		67	156
				1,335	734	5	2,074	3,546

				Macdougall.	Dinwoody.			
Simcoe, S. R.	Gwillimbury, W., Division No.		1	38	50		88	164
do	do	do	2	43	20		63	131
do	do	do	3	39	7		46	115
do	do	do	4	49	29		78	168
do	Essa,	do	1	55	26		81	188
do	do	do	2	56	78		134	184
do	do	do	3	62	18		80	182
do	do	do	4	21	9		30	114
do	Innisfil,	do	1	52	33		85	154
do	do	do	2	53	60		113	203
do	do	do	3	55	25		80	148
do	do	do	4	47	37		84	165

SUPPLEMENTAL RETURN of the Elections subsequent to the General Election.—*Continued.*

Electoral District.	Electoral Division, consisting of Township, City, Town, Village, District.	CANDIDATES.			Total Number of Votes Polled in each Division.	No. of Voters on the Voters' Lists in each Division.	REMARKS.
		Macdougall.	Dinwoody.	——			
Simcoe, S. R.	Innisfil, Division No. 5	63	30		93	219	
do	do do 6	27	22		49	101	
do	Tosorontio, do 1	48	9		57	147	
do	do do 2	34	18		52	75	
do	Alliston	35	14		49	77	
do	Bradford	40	53		93	184	
		817	538		1,355	2,719	
		McRae.	Clark.	——			
Victoria, N. R.	Fenelon, S. H. No. 7, Division No. 1	17	12		29	44	
do	Cambray, do 2	80	38		118	198	
do	Smithson's, do 3	41	58		99	146	
do	Brown's, do 4	34	68		102	154	
do	Fenelon Falls, do 1	56	65		121	174	
do	do do 2	12	31		43	67	
do	Eldon, Woodville, do 1	60	71		131	195	
do	do Hartley, do 2	54	60		114	183	
do	do Kirkfield, do 3	66	38		104	154	
do	do Eldon Station, do 4	33	8		41	72	
do	Bexley	55	21		76	134	
do	Carden and Dalton	71	38		109	130	
do	Laxton, Digby and Langford	54	27		81	121	
do	Lutterworth, Anson and Hindon	28	8		36	56	
do	Somerville	70	66		136	200	
do	Minden	47	29		76	130	
do	Snowden	10	34		44	71	
do	Stanhope and Sherbourne	12	10		22	36	
do	Dysart, Division No. 1	24	14		38	60	
do	do do 2	3	1		4	8	
do	do do 3	2	3		5	6	
do	Cardiff, Glanmorgan and Monmouth, Div. No. 1	6	7		13	32	
do	do do 2	2	12		14	26	
		837	719		1,556	2,397	

				Hudspeth.	Wood.	—		
Victoria, S. R.	Lindsay, Division No.	1		57	61		118	173
do	do do	2		37	64		101	147
do	do do	3		52	52		104	183
do	do do	4		34	42		76	123
do	do do	5		41	57		98	175
do	Ops, do	1		56	46		102	122
do	do do	2		33	27		60	85
do	do do	3		71	41		112	144
do	do do	4		52	45		97	116
do	do do	5		49	38		87	115
do	Mariposa, do	1		31	62		93	131
do	do do	2		42	29		71	111
do	do do	3		37	54		91	134
do	do do	4		24	77		101	135
do	do do	5		30	95		125	170
do	do do	6		23	111		134	177
do	do do	7		47	93		140	181
do	Emily, do	1		95	31		126	187
do	do do	2		95	20		115	167
do	do do	3		55	66		121	180
do	do do	4		38	8		46	63
do	Omemee Village			74	15		89	108
do	Verulam, Division No.	1		46	19		65	88
do	do do	2		73	60		133	179
do	do do	3		36	91		127	173
				1,228	1,304		2,532	3,567

				Buchner.	Currie.			
Welland	Bertie Township, Division No.	1		46	51		97	177
do	do do	2		52	58		110	162
do	do do	3		58	112		170	216
do	do do	4		54	60		114	184
do	Crowland, do	1		52	105		157	203
do	do do	2		40	63		103	121
do	Humberstone, do	1		97	62		159	223
do	do do	2		63	80		143	194
do	do do	3		64	17		81	138
do	Stamford, do	1		48	80		128	195
do	do do	2		74	80		154	221
do	do do	3		75	68		143	199
do	Thorold, do	1		93	54		147	208
do	do do	2		73	72		145	212
do	do do	3		66	72		138	185
do	Willoughby, do	1		50	35		85	118
do	do do	2		50	46		96	131
do	Clifton, Town of, North Ward			30	37		67	100
do	do Centre	do		66	59		125	194
do	do South	do		20	15		35	68

SUPPLEMENTAL RETURN of the Elections subsequent to the General Election.—*Continued.*

Electoral District.	Electoral Division, consisting of Township, City, Town, Village, District.	CANDIDATES.			Total Number of Votes Polled in each Division.	No. of Voters on the Voters' Lists in each Division.	REMARKS.
		Buchner.	Currie.	——			
Welland	Chippawa, Village of	64	51		115	161	
do	Port Colborne, do	75	87		162	237	
do	Fort Erie, do	25	56		81	171	
do	Thorold, Town of, Division No. 1	93	77		170	241	
do	do do 2	61	74		135	185	
do	Welland, Village of, do 1	41	79		120	170	
do	do do 2	50	97		147	220	
		1,580	1,747		3,327	4,834	
		McKim.	McGowan.	——			
Wellington, W.R.	Arthur, Township of, Division No. 1	17	66		83	126	
do	do do 2	66	40		106	160	
do	do do 3	37	41		78	139	
do	do do 4	16	37		53	101	
do	do do 5	23	41		64	143	
do	Minto Township, do 1	62	29		91	174	
do	do do 2	55	57		112	199	
do	do do 3	49	24		73	162	
do	do do 4	26	55		81	148	
do	do do 5	53	37		90	155	
do	Maryborough Township, do 1	33	28		61	115	
do	do do 2	60	20		80	125	
do	do do 3	57	63		120	150	
do	do do 4	43	26		69	116	
do	do do 5	58	107		165	232	
do	Peel Township, do 1	72	29		101	178	
do	do do 2	55	41		96	148	
do	do do 3	59	48		107	190	
do	do do 4	50	47		97	178	
do	do do 5	32	89		121	168	
do	do do 6	33	62		95	139	

do	Arthur Village	27	42	.....	69	99	
do	Clifford do	44	31	.....	75	105	
do	Harriston do Division No. 1	34	23	.....	57	106	
do	do do do 2	41	17	.....	58	116	
do	Mount Forest Village, Division No. 1	48	63	.....	111	193	
do	do do do 2	47	33	.....	80	128	
do	Palmerston Village	13	42	.....	55	102	
		1,210	1,238		2,448	4,095	
		Miller.	McMahon.	—			
Wentworth, N.R	Beverly Township, Division No. 1	38	72	.....	110	179	
do	do do 2	41	82	.....	123	200	
do	do do 3	90	52	.....	142	212	
do	do do 4	33	89	.....	122	207	
do	do do 5	14	69	.....	83	136	
do	do do 6	43	49	.....	92	136	
do	Flamborough East, do 1	43	38	.....	81	108	
do	do do 2	118	79	.....	197	248	
do	do do 3	124	44	.....	168	214	
do	do do 4	25	62	.....	87	139	
do	do West, do 1	5	2	.....	7	134	
do	do do 2	99	43	.....	142	179	
do	do do 3	57	102	.....	159	234	
do	do do 4	73	68	.....	141	182	
do	Dundas, Town of, Valley Ward	61	96	.....	157	238	
do	do Canal do	52	56	.....	108	177	
do	do Foundry do	51	73	.....	124	204	
do	do Mountain do	49	66	.....	115	177	
		1,016	1,142	.....	2,158	3,304	

S. J. VANKOUGHNET,
Clerk of the Crown in Chancery,

OFFICE OF THE CLERK OF THE CROWN IN CHANCERY, ONTARIO.
TORONTO, February 7th, 1876.

nb remave months ending

GRAND TOTAL.

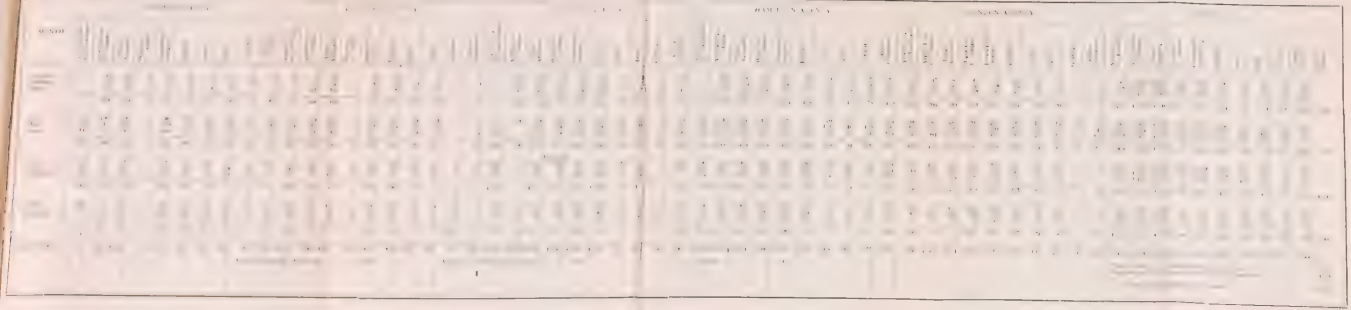
M	Irish.	German.	Other Countries.	Arrived on St. Lawrence, Went to U. States.	Remained in Ontario.	English.	Scotch	Irish.	German.	Other Countries.	Settled in Ontario.
Jan	2	3	12								
Fe	8	8	8	....	593	498	196	20	45	26	211
M	42	10	41	....	626	461	212	34	35	47	133
					1,294	1,274	916	43	74	36	205
	52	21	61	..							
					2,513	2,233	1,324	97	154	109	549	2,233
	25	3	9	28							
A	205	.....	10	57	1,706	2,282	1,650	84	108	73	397
M	158	32	130	264	1,914	3,598	2,268	508	410	138	274
J					1,850	2,679	1,610	261	270	99	439
	388	35	149	1,12							
					5,530	8,559	5,528	853	788	310	1,080	8,559
	97	.....	147	206							
J	30	.....	11	108	3,929	1,939	1,038	321	212	91	307
A	30	.....		163	658	1,149	674	159	108	38	170
S					700	1,328	707	142	125	62	292
	156	....	161	478							
					5,287	4,416	2,419	622	445	191	769	4,446
	40	....	22	114							
O	26	....	13	43	915	1,110	597	82	110	60	294
N	12	....		51	572	708	371	34	52	50	192
D					353	599	294	36	72	42	155
	77	....	35	208							
					1,840	2,417	1,262	152	234	161	608	2,417
G	573	56	406	1,840	15,170	17,655	10,533	1,724	1,621	771	3,006	

Cus

tario through Agencies.... 17,655
arrived through Customs.... 4,096

Settled in Ontario 21,751

TABLE A.—*showing the number of Immigrants arrived, the number remained in Ontario, with their nationalities, for the twelve months ending 31st December, 1875.*



ANNUAL REPORT

OF THE

IMMIGRATION DEPARTMENT

FOR THE

PROVINCE OF ONTARIO,

FOR THE YEAR

1875.

Printed by Order of the Legislative Assembly.

Toronto:
PRINTED BY HUNTER, ROSE & CO., 25 WELLINGTON STREET.
1876.

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REPORT

OF THE

IMMIGRATION DEPARTMENT

OF THE PROVINCE OF ONTARIO,

FOR THE YEAR 1875.

To His Honour the Honourable D. A. Macdonald, *Lieutenant Governor of the Province of Ontario.*

May it Please Your Honour,

The undersigned begs to submit the following Report on the operations of this Department for the twelve months ending 31st December, 1875.

During the early part of the year 1875, in consequence of the agreement formed on the 4th November, 1874, between the Dominion and four of its Provinces, the Ontario Emigration Agents in the British Islands were withdrawn, with the exception of a clerk on the staff of the Agent General, in London, an Agent in Glasgow, and one in Cork. It was also found necessary in consequence of previous engagement to continue the services of the Agent in Sweden till the 30th June, 1875, when his services were dispensed with. The engagement of the Agent in Cork was terminated on the 30th Nov, and that of the one in Glasgow on the 31st December 1875. These various Agencies involved an expenditure of $16,492.64. It is proposed to reduce this amount in 1876, by cutting off all expenditure, with the exception of a clerk's salary, without expenses, in the Canadian Emigration Office, in London.

At the close of the Immigration Season of 1875, it was deemed advisable to close the Ontario Immigration Office, at Quebec, the Dominion Government undertaking to perform all the work formerly done by the Ontario Staff at that Port.

After the close of navigation, the services of the Agent employed by this Department to superintend the distribution and settlement of immigrants in this Province were discontinued; and it is not intended to retain an officer for that purpose during the ensuing season.

During the year 1875, 17,655 immigrants were settled in the Province of Ontario, through the Ottawa, Kingston, Toronto, Hamilton, and London Agencies. Their nationalities are as follows:—

English.	Scotch.	Irish.	German.	Other Countries.	Total.
10,533	1,724	1,621	771	3,006	17,655

The nationalities of the immigrants settled in Ontario in 1874, were:—

English.	Scotch.	Irish.	German.	Other Countries.	Total.
17,323	2,279	3,040	1,017	1,785	25,444

Table A. condensed from the monthly returns of the various Agencies in Ontario, shows the arrivals, departures, &c., more in detail.

The number of immigrants settled in Ontario in 1874 being 25,444, the decrease in 1875, as compared with that year, is 7,789. Though this decrease is large, it is not more than a fair proportion of the general decrease in emigration from the British Islands during the last year. The following table shows the number of emigrants who left the British Islands for places out of Europe, and the percentage settled in Ontario, during the years 1871, 1872, 1873, 1874 and 1875 respectively:—

Year.	Number left.	Settled in Ontario.	Percentage.
1871	252,438	25,842	10·23
1872	295,213	28,129	9·52
1873	310,612	39,184	12·61
1874	241,014	25,444	10·55
1875	173,809	17,655	10·16

It may be remarked here that during the last three years no difficulty has been experienced at any of the agencies in Ontario in procuring suitable employment for *bona fide* farm labourers and female domestic servants; and when reasonable wages would be accepted, engagements could be made by the year. In many instances the new comers prefer to work for the high wages current during the summer and autumn months, and take their chance of obtaining employment in the winter. In making temporary engagements in this manner, some meet with disappointments during the inclement season.

The total number of souls who received the Ontario bonus in advance in reduction of passage money in 1875, was 4,267. These were carefully selected, all applications other than those of farm labourers and female domestic servants, of suitable age and good character, being rejected. Full lists, containing the names, ages, and occupations of emigrants so assisted, were sent along with each party to the Ontario Agent at the port of debarkation, where, after being checked, they were given in charge to an Ontario officer, who convoyed the immigrants to their respective destinations in Ontario. By those means every immigrant who received Provincial assistance can be accounted for as having been settled in Ontario. Many of the assisted immigrants were left with employers at stations east of Toronto, and others were handed over by the agents at points farther west to such parties as sent their orders to the respective agencies. The report of Mr. R. M. Persse, which will be found in Appendix B., gives further details as to the mode of settlement.

The advance in the rate of wages in the British Islands, and the increased competi-

tion on the part of the Australian Colonies, who pay fare in full, and in cases of need supply outfit, render it extremely difficult to obtain a sufficient supply of the class of immigrants specially needed in Ontrio. The Agricultural Labourers' Unions partially supplied this demand, but not to an extent sufficient to meet the demands of this Province.

The total expenditure on account of immigration during the year 1875 was as follows :—

Agencies in Europe	$20,163 64
Agencies in Ontario and Quebec	8,181 43
Carriage of immigrants	7,687 61
Provisions to immigrants	7,064 89
Bonus to immigrants in reduction of passage	23,436 93
Commission to temporary agents	1,351 00
Incidentals	1,175 03
	$69,060 53
Dominion Government carriage of immigrants	25,000 00
	$94,060 53

The expenditure in 1874 was as follows :—

Agencies in Europe	$32,475 38
" " Canada, and other expenditures in Canada	18,454 70
Carriage of Immigrants	34,535 48
Assistance to Immigrants by bonus and advances	46,532 79
Incidentals	2,642 31
	$134,640 66

The cost per head, exclusive of bonus and carriage of Immigrants from Quebec, is $2 58, or $5 32, including all expenditure.

Two-thirds of the cost of the carriage of immigrants from Quebec are now to be paid from Ontario funds, the Dominion Government having discontinued the annual grant of $25,000, from which this service was formerly paid.

Further information will be found in the Appendices to this Report.

All of which is respectfully submitted.

Your obedient servant,

S. C WOOD,
Commissioner of Immigration, Ontario.

Toronto, February, 1875.

APPENDIX (A.)

REPORTS OF ONTARIO EMIGRATION AGENTS IN EUROPE.

REPORT OF SYDNEY ROBJOHNS, EMIGRATION AGENT, LONDON, ENGLAND.

CANADA GOVERNMENT BUILDING,
King Street, Westminster, S. W.,
January 17th, 1876.

To the Honourable the Commissioner of Emigration, Province of Ontario:

SIR,—I have the honour to submit my third Annual Report, and in doing so hope to receive the same gratifying commendation as I have received on former occasions from your two honourable predecessors.

In bringing this Report to the end of 1875, I have to record the results of a year's experience of the scheme primarily projected, I believe, by the Honourable Adam Crooks, namely, the union of effort and the division of expense in the promotion of immigration on the part of the Federal and the Local Governments.

On the 1st of January, 1875, it was intended that I should take an office in King Street, Westminster, to be provided by the Dominion of Canada; but a misunderstanding between your Department and the Agent-General, as to the furnishing of the said office, prevented my doing so until March.

Under the agreements effected by Mr. Edwards in 1873, under instructions from the Honourable Archibald McKellar, the office in Salisbury Square would have remained in your tenancy until some time this year; but through the courtesy of the landlord I was enabled to terminate the engagement at Michaelmas last; and in securing a tenant for the closing quarter I was able to credit your Department with ten pounds. The actual loss, therefore, incident to the change of your Agent's office from the City to Westminster was only about twenty pounds.

In view of the anticipated change in the Agency-General, it would not be becoming in me to criticise the past too closely, but I may be allowed to say that the scheme of amalgamation, in all except the locality of the chief offices, is one that should and might be as successful as Mr. Crooks had a right to hope when he proposed it to the Central Government; but an obstacle to its free and efficient operation has been the isolation of competent persons, to wit, the Provincial agents, and the assumption of authority and administration by persons wholly unacquainted with Canada or with emigration, which, to quote your own coadjutor, is a business, and like every other business requires training and experience. It is fair to say that the Agent-General's responsibility did not extend in this matter beyond his appointment of persons without the special qualifications I have named, and his sustenance of them in their deputed authority. What the Agent-General called "the shadow of a shade" of a disagreement between him and myself was caused by the fact that Ontario was suffering in the direction indicated.

The allotment of the offices in the Canada Government Building I think objectionable. Mr. Crooks complained of this at the beginning of the year; but it seemed as if obstacles stood in the way of a remedy. The suggestion I make is that the library should be

divided, and, with the Secretary's room, devoted to the Provincial Agents. The Agent-General or Chief Emigration Agent and the local representatives would then be all on the same floor, and all equally accessible to visitors. The library might be placed on the second floor.

In the event of the probable contingency of King Street being required for Imperial Government offices, I would urge the importance of the agency being established within easy reach of the Royal Exchange, the City being a common resort, Westminster an occasional one.

A return received by me from the Chief Superintendent of the Statistical Department of the Board of Trade, shows the emigration to Canada to be for

1875	17,141
1874	25,450
1873	37,208

This, you will see, is a serious diminution, and one is naturally disposed to enquire into the cause or causes. These I think are three in number, which may be designated by the words (1) Reaction, (2) Depression, and (3) Revival. Reaction on the excitement incidental to the farm labourers' struggle in 1873; depression of trade in the United States and Canada; and revival of workmen's prospects in Great Britain. This last may seem paradoxical in the face of an unfavourable Report of 1875 by the producers of England; but the fact remains that the British workman, year by year, is increasingly capable of enjoying luxuries which his fathers never dreamt of except for the rich; that under the process, what was once deemed a luxury is now a necessary; and that in the regard he has for the luxury of the old world, the workman shrinks from that which he fancies may be required of him in the new—from that which leading newspapers lead him to anticipate. And here it may be well for me to say that the business of the emigration agent cannot be gauged by quantity, but by quality. Indeed, I claim to have studied the interests of Ontario as much in the emigration I have discouraged as that which I have promoted. And, seeing the working population of Great Britain seems to be departing from the axiom of the great Brotherton, "that my riches consist not in the multiplicity of my goods but in the fewness of my wants," it will be the business of the conscientious agent to search out those who have robustness of physique, energy of character and nobleness of purpose—those who can forego the immediate present in the hope of the future—those who can sympathise with the American President in his estimate of the urgent need of hard manual work, when he wrote, "A man on this continent is valued at just what he can earn for himself in a shirt and pants," and promote the emigration of such men only. Human flesh and blood are precious to a young country, but they are dearly bought at the price of immorality; and people in this country are too prone to regard a colony as the natural refuge of the lazy, the profligate, and the viciously enervated—a disposition not hitherto fully combatted by some agents and a few emigration charities.

Reaction on the impulsive emigration of 1873 was to be expected and might have been foreseen. Many of the emigrants of the Eastern Counties left their homes under the excitement engendered of the struggle between themselves and the tenant farmers, and with the result that ere they reached Quebec they had cooled, and realized that they had undertaken a new course of life without due premeditation. These reached the colony with a sense of regret and under the influence of home sickness; and if all was not as their imagination had depicted, and as they in their simple ignorance had supposed—which of course it could not be—they were subject to a grievous disappointment, and reflected that sentiment in their letters home. In this country a political complexion began to be given to Canadian emigration, which alienated a class which had hitherto regarded it favourably, and deprived the work of their maintenance and advocacy. This fact is most conspicuous among the rural clergy, who in times past were ready to assist a deserving family whose ambition pointed to a new country, and to permit the use of village school-rooms for the purposes of emigration lectures. The loss of the aid of this class has been detrimental even where no opposition has been manifested. I fear too that the gain we made in farm labourers in 1873 was at the price of the small farm capitalists—a section of the community it is most desirable we should secure for the value of their skill, their pecuniary means, and their attraction to labourers in the districts from which they might go, but I see no disposition on the part of this class at present to make a move which would be no less beneficial to them than advantageous to Canada. In an article I wrote under instructions from the Agent-General, I referred to this matter,

advocating a strenuous attempt to secure the tenant farmers, writing then hopefully of results; but the political prejudice has been awakened, and the recent unfortunate and perhaps exaggerated account of dull trade in the Province will deter this valuable emigration probably for some years.

Of the second cause—depression of trade in the United States and Canada—I need say little. It is patent that any distress in America is readily published in Great Britain; but, judging by my own knowledge, "great distress," which causes great excitement in the colony through being so perfectly abnormal, would not be so designated in Europe. In this connection allow me to say that I think that, as far as may be, immigration and the progress of public works should be coincident.

In connection with the depression of trade in Canada, the agent's object should be always to put public opinion right as to facts; but I must agree with the Honourable Adam Crooks, that an official discouragement of emigration under *any* circumstances is injudicious. In July Mr. Jenkins published a letter in the *Times* which your predecessor subsequently disapproved, and which I reprobated in anticipation. The writer mentioned the fact that he intended to send the epistle, and I advised him not to do so; at least not to make mention therein of farm labourers. Of course the letter was reprinted far and near, and with results that will be evident for a long time to come. One Agent-General for an Australian colony wrote: —"The Agent-General for Canada, in a letter to the *Times* of the 12th of July, 1875, says: — 'The advices from Canada, both privately and in the press, as well as from gentlemen who have lately arrived from there, show that in the present state of commerce and trade in the Dominion, and especially at so late a period of the emigration season, it is not advisable to encourage the emigration from this country of artisans, mechanics, clerks and general labourers to Canada. These persons, arriving in the middle of July or the beginning of August, will find a depressed state of trade, and a lack of general employment, and unless they have extraordinary energy and self-reliance, or sufficient means to maintain themselves for some considerable time, they may find themselves forced to face a Canadian winter with no prospect of employment. To encourage emigration of such persons in such circumstances would be almost criminal, and equally disastrous to the emigrants themselves and to the interests of Canada.' It is evident from this that the Canadian demand for mechanics, general labourers, &c., is at present at an end: it may therefore be desirable to point out to persons of these classes who may wish to emigrate, that my recent advices in reference to agricultural labourers, domestic servants, mechanics and general labourers, is to the effect that the demand is still very brisk, at good wages. It may also be worthy of attention that work in the open air or in workshops is carried on in all seasons in Australia."

On the third cause of decreased emigration to Canada—increase of wages here—I need add little to what I have previously said. Although the exports of this country compare unfavourably with imports, and although there is much complaint of dull trade, the fact remains that skilled labour and manual labour generally are difficult to obtain, and when found, employees of all kinds manifest an independence that would be incompatible with a redundant market.

The great labour disturbance of the year has been that of the South Wales lock-out of colliers. The direct effect of this movement was of no benefit to Canada, and personally I saw no advantage in canvassing the district by Dominion agents, for the men were little suited to the requirements of a colony, and the women had no qualifications for domestic service; but the migration of some, indeed of many, of the colliers to rural districts in the adjoining counties or at a greater distance to places of nativity, caused a slight increase in the temporary supply of agriculturists, and in that way stimulated the emigration of the farm labourers, who found themselves displaced by men willing to work for any remuneration that should tide them over a transient difficulty.

During the year Great Britain has been visited by His Excellency the Governor-General and the Honourable the Premier of Canada, and the extra-official utterances of two such distinguished authorities have had a salutary effect on emigration in the extensive influence exerted thereby through the reports which have been widely circulated in the columns of metropolitan and provincial newspapers.

There is one subject which, I think, has hitherto received but little attention, and is deserving of a great deal. In this day the army is a training school for unskilled but able-bodied men, and the term of service is so brief as to leave the best part of many men's lives

at their free disposal. A rough, raw lad, joining the army, may, when just turned thirty only, find himself a handy healthy man, with a trifling pension, and all the British world before him. Such an one, respectable and self respected, who has learned to command himself by the discipline of obedience, would make a valuable settler, and a free grant—a homestead of his own—would be the acme of his aspiration.

The literary and advertising work of the year has devolved on the Dominion Government, but in a few directions I have made contributions on Canadian topics to the English press. These have taken the form of magazine articles and newspaper letters. Among the last was a long letter in the London *Globe*, and which was ably commented on by leading Canadian journals, on the most important question of the food demand in England and the food supply of Canada.

The most important advertisement of the season was the Ontario map, which, being illustrated profusely, attracted much attention, and supplied a want long felt by emigration agents. The work was well designed, admirably executed by the eminent firm of Messrs. Maclure, Macdonald & Co., and circulated through all possible media to the number of upwards of fifty thousand.

The number of emigrants of whom I have compiled statistics amounts to 4,624 souls, which it will be noticed is a trifling increase on last year. This increase in my office record is probably due to the increased disposition of persons resident in Ontario to send money for the transportation of their kinsfolk. This total of 4,624 souls represents 3,144½ adults and 1,483 breadwinners. The nationalities are as follow:—

English	3,859
Scotch	39
Irish	117
Swiss	8
Canadian	1
	4,024

The avocations, as compared with the two previous years, are given below:—

	1873.	1874.	1875.
Agricultural labourers	164	996	1,122
Bricklayers	3	3	1
Blacksmiths	5	0	1
Bakers	2	2	1
Brickmakers	2	0	0
Blindmakers	1	0	0
Bookbinders	0	1	0
Charwomen	2	1	0
Carpenters	13	3	2
Clerks	0	3	0
Drapers	0	0	1
Domestic servants	63	301	332
Dressmakers	0	3	0
Farm pupils	0	0	4
Fitters	3	1	0
Female clerks	1	0	0
Farriers	0	1	0
Gardeners	2	2	3
General labourers	82	39	10
Harnessmakers	0	1	2
Moulders	2	0	0
Plasterers	1	0	0
Printers	4	1	0
Potters	0	1	0
Painters	3	1	1

	1873.	1874.	1875.
Smiths	2	3	0
Shoemakers	6	4	0
Stonemasons	3	1	1
Straw hat makers	39	0	0
Shipwrights	4	0	0
Sawyers	1	0	1
Shorthand writer	0	1	0
Schoolmistress	0	0	1
Tailors	3	5	0
Watchmakers	0	1	0
Wheelwrights	0	0	0
Breadwinners	412	1,375	1,483

With the close of the year both your own Government and that of the Dominion have effected great changes in the emigration administration of this country, and unless action be taken quickly, with, I venture to fear, disastrous results. I refer to the dismissal of the Agent-General, or rather the abolition of his office as defined by the conference at Ottawa, and the appointment of Mr. Byrne to the Ontario Agency. A more unhappy season for Mr. Byrne to enter on novel duties could scarcely be imagined, having imposed on him, most probably, in the present state of suspense at the Dominion Agency, duties hitherto borne by the Agent-General. On the 31st December, both Mr. Jenkins and myself terminated our official connection with Canada, except in so far as service has been required, speaking for myself, subsequently. On this occasion, the third on which I give a sketch of my stewardship, I have also to take my official leave. In doing so let me express the hope that Ontario emigration will be of the high class which I have maintained, and be effected as economically.

All of which is respectfully submitted.

I am, Sir,
Your obedient servant,
SYDNEY ROBJOHNS.

REPORT OF MR. PETER BYRNE, EMIGRATION AGENT, GLASGOW.

CANADA EMIGRATION OFFICE,
25 Robertson Street, Glasgow, Dec. 1st, 1875.

To the Honourable A. CROOKS,
Commissioner of Immigration, &c.,
Toronto.

DEAR SIR,—I have the honour to submit for your information the following report of my proceedings during the present year.

In accordance with your instructions, I closed up the Ontario office at 54 York Street, Glasgow, at the expiration of the term for which it was rented, namely, the 25th of May, and transferred my head-quarters to the Dominion office at 25 Robertson Street. Being thus relieved of the duty and responsibility of keeping an office open myself, and also to a large extent of office work, I have since been enabled to devote the greater part of my time to travelling, in order the more effectually to carry out the objects of my mission.

In my endeavours to diffuse information regarding our Province and to promote emigration generally, I have been strictly mindful of your instructions to confine my efforts exclusively to the agricultural classes. To this end I have canvassed the rural districts extensively, and attended country fairs in most of the counties of Scotland, and have circulated a large number of circulars, maps and pamphlets, not only among farm labourers, but among the farmers themselves. Convinced that no class of emigrants are so certain of rapidly attaining prosperity in Canada as those who occupy the struggling position of small farmers in this country, I have taken special pains to reach this class, and to demonstrate to them how

greatly they might better their own condition and improve the prospects of their children by transferring their industry and their capital to Ontario.

As to the farm labourers of Scotland, their condition is undergoing a steady improvement year by year, and their wages, which have risen considerably even during the last couple of years, are now about as high as Canadian farmers could afford to pay them. This improvement, which is very largely, if not entirely, owing to the extensive emigration of past years, is now operating as a check on emigration. Of course, at my meetings and conferences with the labourers I have not failed to point out the many inducements, apart from the question of wages, which our Province holds out to industrious, energetic and enterprizing men, brought up to agricultural labour.

In striking contrast with the condition of the agricultural labourer is that of nearly all other classes of working people in this country at the present time. All the staple industries have been greatly depressed for a considerable time past, and trade generally has been bad. The consequence is that not only have wages been largely reduced, but thousands have been thrown out of employment and much distress prevails.

This state of the labouring class generally is one of the leading causes of the marked falling off in the emigration from Scotland this year. It is a noteworthy fact that this falling off has affected Australia and New Zealand almost in an equal degree with Canada and the States, though the wave of commercial depression which has swept over the North American continent appears not to have reached them.

In response to an invitation from Mr. Jenkins, Agent-General, I attended a conference of Canadian emigration agents in London last April. At this conference a great many topics bearing on the work of promoting emigration were freely discussed, and a profitable interchange of practical ideas and experiences was the result.

In speaking of the closing of the Ontario Emigration office in this city, I omitted to mention that part of the furniture in it belonged to Col. Shaw, formerly Dominion Agent, who originally sublet the premises to my predecessor. The articles belonging to the Government I shall dispose of before leaving here this month, and render an account of them to your Department.

I remain, your obedient servant,

P. BYRNE,

Emigration Agent for Scotland.

REPORT OF J. MURPHY, EMIGRATION AGENT, CORK.

CORK, 22nd December, 1875.

The Hon. S. C. WOOD,

Commissioner of Immigration.

SIR,—I have the honour of making for your information the following Report on Emigration for this portion of the south of Ireland, for the year 1875.

In the month of December, immediately after having forwarded my Report for 1874, I proceeded upon a lecturing tour, and visited certain towns in the counties of Waterford, Kilkenny, Carlow, and Wexford—namely, Waterford City, Kilkenny, Thomastown, Carlow, Enniscorthy, Wexford, and New Ross, in all of which, with one exception—Enniscorthy—I was well received. In the latter, though I had previously arranged for the renting of the Town Hall, I was denied the use of it on account of the intense feeling of the people of the town, and had to content myself with an open-air meeting, under very adverse circumstances, as it was raining during the time of the delivery of my lecture, and also on account of the open hostility of the populace of the place.

Having returned to Cork towards the end of the month of December, I was given to understand that I could not continue to travel with the purpose of lecturing, as the allowances granted—namely, $4 per day—were to cover all expenses incurred in so doing, as well as all the other necessary expenses of keeping an office and advertising. This being entirely inadequate to pay the expense of hiring "Halls," printing and posting bills, hotel charges, railway fares, &c., &c., necessarily prevented me from continuing my lectur-

ing tour, as I intended, during the months of January, February, and March, 1875. About the same time it was also intimated to me that I need not continue my office here, and, as a matter of course, I discontinued it. On the 6th January, 1875, I received an official note from the London office, intimating that I was to return all blank certificates for Ontario bonuses, and that such certificates, payable three months after date, were henceforth to be discontinued. I returned the blank certificates as required. On the 9th of this month I received an official notice from the London office asking me if I had made arrangements to close my office in Cork, as I was told it was evident, from the tenor of the Hon. Mr. Crooks' communication, that it was intended I should do so. In accordance with the above, I closed my office in this city on the 16th January, but was permitted to retain it without paying rent until such time as I knew for a certainty whether I was to be retained in the Ontario service or be assumed into that of the Dominion Government. I continued thus for a considerable time, calling at least twice a day at the office, and receiving and replying to any letters making inquiries concerning Canada, and, when required, forwarding pamphlets on Ontario. During this time I forwarded several letters to Mr. Robjohns from parties making inquiries and asking for the assisted fares to Ontario. On the 28th January, having received peremptory orders from London, I discontinued my advertisements in the Cork papers to date, and this ended for the time being my active duties.

On the 6th February I received an official letter from London, informing me that should I not be assumed into the Dominion service, I would be continued as an agent of the Ontario Government. On the 10th of this month I received an official letter from the Agent-General, to whom I wrote on the 6th inst., informing me that no appointment had been made in my case, so far as he was aware, and that the matter lay, not in his hands, but in those of the Minister of Agriculture, Ottawa. I therefore continued to act as an agent of the Ontario Government, sometimes forwarding letters I received from intending emigrants to Mr. Robjohns, London, and in many cases answering them personally, especially where they merely required information and pamphlets.

On the 26th February I received notice from the proprietor of my office that a Mr. Talbot had been appointed, through the favour of the Agent-General, as permanent agent of the Dominion Government in Cork, and in consequence of this knowledge he removed my sign-board from the outside of the office without consulting me, and thereby practically revoked the former permission of retaining my office until such time as I definitely heard from the Hon. the Commissioner of Immigration or the Hon. the Minister of Agriculture, Ottawa. As a matter of course, I could not object to this, as I merely occupied the office through sufferance, and was liable at any time to be displaced. From this time until the 20th March I remained in a sort of equivocal position, until upon the latter date I received an official communication from the Hon. the Commissioner of Immigration, intimating, in reply to a letter of mine of the 10th Feb., that "I should be continued as an agent for Ontario until such time as it will be seen whether the Dominion Government will assume me on their staff." In consequence of this letter I at once wrote to Mr. Robjohns for instructions to assume the active operations of my agency.

On the 25th March I received an official letter from Mr. Robjohns, by virtue of which I entered again upon the active duties of my agency, namely, by re-renting office and advertising in the papers. I made arrangements with the *Freeman, Nation, Weekly News, Irishman, Flag of Ireland, Cork Examiner, Daily and Weekly Heralds, Clare Freeman, Tipperary Advocate, Waterford News, Carlow Post, Connaught Telegraph*, and other papers. This was fair so far, but on the 15th April I received *another* official letter from London, in reference to my position as an emigration agent in this city, which entirely changed my duties here, as I was henceforth merely to act as a travelling agent, and was told that I may dispense with an office. This, as a matter of course, caused again additional confusion. On the 6th May I received a letter from Mr. Robjohns, instructing me to close my office in Cork, and in the meantime to hand over any communications that might be received during my absence to the Dominion Agent. On the 10th of this month I again withdrew my advertisements from the Cork papers, and on the 17th I left the city for the purpose of travelling, and was absent until the end of May I visited numerous towns

and villages in the counties of Waterford and Wexford. Having prepared my usual monthly report, &c., for May, I left Cork early in June, and visited various towns in the counties of Cork, Limerick, Clare, and Galway. On the 25th June I received a letter from Mr. Robjohns, covering one from the Hon. the Commissioner of Immigration, which authorized me in the future to continue my office as heretofore. During the entire month of July I was kept comparatively idle, as I was told to await instructions from the Agent-General, as it was his intention to visit Cork soon. Early in August I again entered into possession of an office, and again advertised in the Cork papers. On the 26th August I had an official visit from the Agent-General, in reference to my assumption into the service of the Dominion Government. Nothing definitely was arranged at this time. I did not again hear from the Agent General until the 27th November, when I had a letter from him, conveying to me my appointment as a special agent of the Dominion Government, for a limited period, in the City of Limerick.

In the months of April and May there seemed a very favourable prospect of a fair average Irish emigration. I had numerous applications about that time for information concerning Ontario, and a number of persons, fully up to the average of the preceding year, were making application through me for assisted passages; but the equivocal position I was in, both before and after that time, prevented me from being able to forward as many emigrants as I could have done had I had a fixity of tenure in my position, and had I been enabled to advertise continuously, and keep an office in good working condition.

A combination of untoward circumstances seriously affected emigration from Ireland during the year 1875. The commercial depression in the United States, a wave of which floated over Canada, was the great drawback—for people in this country can hardly be brought to see the distinction of the two countries; and when commercial matters in the United States are unsettled, it just as much affects emigration to Canada as to the Republic. Again, the re-combination of the Atlantic Conference, in June, and the consequent rise in the ocean fares, seriously disarranged the projects of intending emigrants. As a matter of course, it affected assisted passages, and those who in the early months of the year were corresponding for such passages at very low figures suddenly found themselves called upon to pay double the amounts they were led to believe they would have to pay. Again, the efforts being made by the Australian Colonies, and the very low rates offered intending emigrants, had a very serious effect upon emigration to Canada. All these circumstances combined together to diminish very seriously the number of people who, without these counteracting influences, would certainly have emigrated to British America during the year 1875.

Having travelled through various sections of the south and west of Ireland, as well for the purpose of lecturing as also travelling in "*the interests of emigration*," I may be permitted to give an opinion upon the advantages or disadvantages of one or the other method.

I have proved, at least to my own satisfaction, that travelling in *Ireland*, from place to place, *without lecturing*, in the interests of emigration, is an unmitigated humbug. The agent who travels thus merely rides from one town to another. He may make an acquaintance in the railway cars, and perhaps pick up a temporary friend at an hotel; perhaps he may call upon the clergyman of the district, but if so he is sure to find a foe to emigration; he may fraternize with the employees of the hotel, who will listen to him with a profound attention, willing to fall in with whatever he may say, until such time as he has paid the expected *douceur* to the chambermaid, the waiter, and the "boots," who almost invariably live on their "chances;" if very sociably inclined, he may engage the proprietor in a friendly discussion on the merits of Canada, whilst the said proprietor is drinking at the agent's expense. The morning arrives, and the agent and his traps are again on the railway to another town,—to a repetition of the same. This is literally travelling in Ireland in "the interests of emigration," when such travelling has not for its object a course of lectures. Where the latter object is carried out, the agent comes face to face, upon a public platform, with large bodies of the poorer classes, who alone are really interested in emigration. Having addressed them, he is frequently questioned, and a spirit of enquiry is raised amongst the people; he has also an opportunity of distributing pamphlets descriptive of the country. The meeting is generally adverted to by the local newspapers of the district, and, as I have proved by experience, frequent applications are made af-

terwards to him through the post for further information, from all the localities in which he has lectured. I will not pursue this theme further than to add, that the agent who prefers the former to the latter course is more desirous of his individual ease and pleasure than zealous in his efforts to encourage emigration to Canada.

During the past year I distributed a large number of pamphlets, as well at the public meetings which I addressed as through the post office; for when written to, whether requested or not, I invariably forwarded pamphlets to my correspondents.

I advertised extensively in the various journals that had the largest circulation in the district set apart for me; and having no politics in Ireland, I did not hesitate to give a preference to those papers that I could discover had the largest circulation, irrespective of their political tendencies. Thus, whilst in Cork County my advertisements appeared in advanced Liberal papers, in Clare, Limerick and Kilkenny, Conservative organs were the vehicles through which I hoped to reach the eyes of intending emigrants to Ontario.

Before I conclude, I may be permitted to refer in kindly terms to the uniform courtesy and attention I received at the hands of the Ontario Agent in London, Mr. Robjohns. I frequently consulted him on matters relating to my agency, often twice or three times a week, and I always could calculate to the moment when I might expect a reply. Such were ever as friendly and communicative as they were punctual. I have also to bear testimony to the promptitude with which any applications for assisted passages, that I addressed to the Agent-General, were replied to during the time I was in a position to forward such.

On the 27th November, as I have before alluded to, I received my appointment as a Dominion Agent for Limerick, and in consequence made arrangements to close my office here in connection with the Ontario Government. On the 6th December I proceeded to Limerick, to make arangements in that city. I secured an office, having rented one for a term of six months. I was recalled to Cork through urgent private business, as also because I was informed that a letter from the Hon. the Treasurer of Ontario was awaiting me. I got back about the middle of the month, and found a request to me to forward at once my annual Report for 1875; in compliance with which request I present the foregoing Report,

And have the honour to be, Sir,

Your most obedient servant,

J. MURPHY.

APPENDIX (B.)

REPORT OF MR. E. A. MACLAURIN, ONTARIO IMMIGRATION AGENT AT QUEBEC.

PROVINCE OF ONTARIO IMMIGRATION OFFICE,
Quebec, 16th November, 1875.

SIR.—I have the honour to submit to you the Fifth Annual Report of the Ontario Immigration Agency at this port, showing the arrivals at, and the operations of the Agency from the opening of navigation on the 29th April to the 14th November, being the navigation season of 1875; and to which are appended various statistical tables, containing the numbers and destination of those who have settled in Ontario.

The total arrivals during the season of 1875 were:—

REGULAR STEAMSHIPS TO QUEBEC.			*Via* NEW YORK AND BOSTON.	
Cabin.	Steerage.	Total.		Total.
1,912	13,564	15,476	538	16,014

The arrivals, compared with those of 1874, show a decrease of 8,010 souls.

TABLE of arrivals during the season of 1875:—

WHERE FROM.	Cabin.	Steerage.	AS COMPARED WITH 1874.	
			Increase.	Decrease.
England	1659	5792		5688
Scotland	170	1595		660
Ireland	83	1259		1259
Total from the United Kingdom	1912	8646		7607
Germany		126		553
Norway		1177	175	
France		331		1217
Russia (Mennonites)		3262	1747	
Iceland		22		336
Italy and other countries				155
Total steerage		13564	1922	9863
Add cabin		1912	Deduct increase.	1922
Total under Imperial Act		15476		7946
Add odd ships and stowaways		538		64
Total immigration		16014		
Total decrease				8010

The above statement, compared with the year 1874, shows a decrease from the United Kingdom to Quebec of 7,946 souls.

The number of arrivals as stowaways, and via New York and Boston, 538 souls, being a decrease of 64, makes a total decrease in the arrivals at this Agency of 8,010 souls.

The total number of vessels which arrived at Quebec with passengers during the season of 1875 was 74 steamships.

The above does not include the arrivals per the Gulf Ports Steamship Company's steamers, which brought a considerable number of steerage passengers, immigrants from the United Kingdom via Halifax, and also a few settlers from Newfoundland, a large proportion of whom were booked for various destinations in Ontario.

Vessels coming under the head of "odd ships," bringing only two or three passengers each, are not included in the foregoing list.

All the passengers were disembarked at Quebec.

The average time of passage was:—

Allan Line Mail Steamers, from Liverpool	12	days
" " " Londonderry	11	"
" Glasgow Steamers, from Glasgow	14	"
" " " Belfast	14½	"
" " " Liverpool	12	"
Dominion Line of Steamers, from Liverpool	14	"
" " " Belfast	13½	"
Temperley's " " London	18	"

The following table gives the number of cabin and steerage passengers brought out by each line, as shown by the certified passenger lists delivered to the Customs authorities:

Line.	Cabin.	Steerage.	Total.
Allan Line Mail Steamers from Liverpool, " " " Londonderry	1,534	9,137	10,671
" Glasgow Steamers, occasionally touching at Belfast and Liverpool	178	2,864	3,042
Dominion Line Steamers, from Liverpool and Belfast	191	1,528	1,719
Temperley's Line of Steamers, from London	9	35	44
Total	1,912	13,564	15,476

The nationalities of the immigrants, as compared with those of 1874, are:—

	1874.	1875.			
English	13,139	7,451			Decrease 5,688
Scotch	2,425	1,765			" 660
Irish	2,601	1,342			" 1,259
British	18,165	10,558			" 7,607
Germans	679	126			" 553
Norweigans	1,002	1,177	Increase	175	
French	1,548	331			" 1,217
Icelandic	358	22			" 336
Italy and other countries	155	...			" 155
Newfoundlanders	52	...			" 52
Russian Mennonites	1,515	3,262	"	1,747	
Total	23,474	15,476		1,922	9,920

Add short shipped, stowaways, &c., 538, gives total passengers 16,014, with a total decrease of 8,010 souls.

The following table shows the number of arrivals at this Agency during each month of the navigation season of 1875, the country of embarkation, the number of steerage adults, cabin passengers, and the number of children in the steerage under four years of age.

ENGLAND.

MONTHS.	Steerage Adults.	Infants.	Cabin.	Total.
May	2417	140	248	2805
June	1537	93	157	1787
July	4089	338	225	4652
August	861	30	419	1310
September	569	27	314	910
October and November	667	29	206	902
Total from England	10140	657	1659	12456

SCOTLAND.

MONTHS.	Steerage Adults.	Infants.	Cabin.	Total.
May	426	13	24	463
June	321	15	28	364
July	325	8	23	356
August	154	6	29	189
September	151	9	35	195
October and November	162	8	31	201
Total from Scotland	1539	59	170	1768

IRELAND.

MONTHS.	Steerage Adults.	Infants.	Cabin.	Total.
May	347	10	18	375
June	230	7	4	241
July	179	5	9	193
August	193	3	19	215
September	86	1	13	100
October and November	106	2	20	128
Total	1141	28	83	1252

SUMMARIZED STATEMENT.

	Steerage Adults.	Infants.	Cabin.	Total.
England	10140	657	1659	12461
Scotland	1539	59	170	1768
Ireland	1141	28	83	1252
Total	12820	744	1912	15476

The immigrants of this year, though far short in numbers compared with the arrivals in preceding years, were far better suited as a whole to the requirements of the country, being chiefly farm labourers, labourers and domestic servants.

Numerous requisitions from all parts of the Province were addressed to this Agency, asking that farm hands should be forwarded to them and to their section. I succeeded in many instances in complying, to the satisfaction both of the employer and the employed, with these requests.

I received a very large number of letters asking for female domestic servants, but owing to the small number of this class arriving, I was in many instances not able to fill the places vacant, and such was the case throughout the season. Very few cases of sickness or accidents on shipboard occurred during the voyages, or amongst the immigrants whilst they were detained at the Immigration Depot here.

The passengers of the steamship Dominion, on her passage in May, were landed at Grosse Isle quarantine station, as the measles broke out amongst the steerage passengers; several children and one or two adults died at Grosse Isle.

There arrived at this port, since the opening of navigation on the 29th of April last, 74 steamships, bringing immigrants under the provisions of the "Imperial Emigration Act."

All immigrants, if British subjects, though of different nationalities, are returned in the passenger lists as natives of that portion of the United Kingdom from which they embark. A great number both from Scotland and Ireland embark at Liverpool, and are classified as English. This makes it impossible to give a correct statement of the different nationalities of the arrivals at this port.

The following return shows the number of souls and adults who have proceeded by special immigrant train to Ontario from this Agency, during the season of 1875:—

EAST OF TORONTO.

	Ottawa City.		Kingston City.		Central District.	
	Souls.	Adults.	Souls.	Adults.	Souls.	Adults.
May	148	111	128	96	218	164½
June	110	83	33	25	228	171
July	73	55	15	11	257	193½
August	45	34	29	22	92	69
September	27	20	21	16	68	51
October and November	45	34	8	6	27	20½
Total	448	337	334	176	890	669½

Total East of Toronto, 1672 Souls equal to 1182½ Adults.

	TORONTO CITY.		WEST OF TORONTO.	
	Souls.	Adults	Souls.	Adults.
May	957 equal	718½	945 equal	709½
June	481 ,,	361	421 ,,	316
July	522 ,,	392	391 ,,	293
August	367 ,,	275	228 ,,	171
September	182 ,,	137	202 ,,	152
October and November	65 ,,	49	56 ,,	42½
Total	2574 ,,	1932	2243	1684

Total for Ontario, 6489 Souls, equal to 4798½ Adults.

To the above should be added the number forwarded to Ontario for the months previous to the opening of navigation, and who came to Ontario by New York and Boston, *viâ* Quebec, namely, 245 souls, equal to 184 adults.

This gives a grand total from this Agency for Ontario of 6,734 souls, equal to 4,982½ adults.

The total steerage arrived at the port of Quebec for the season was 14,107; of these there went to Ontario 6,734 souls; to Manitoba nearly 3,350, including 3,262 Mennonites. The Germans and Norwegians, 1,303, proceeded to the Western States. This leaves 2,182 souls unaccounted for, the majority of whom remained in the Province of Quebec.

The following table shows the number and sexes of immigrants who have been sent or assisted out by societies and benevolent persons in the United Kingdom during the season of 1875, and have settled in Ontario :—

By whom Sent or Brought out.	Males.	Females.	Children.	Infants.	Souls.	Adults.
Mr. Middlemore, of Children's Home, Birmingham	11	3	61	3	78	44½
Miss Macpherson	37	16	117	14	184	111½
Rev. Mr. Fletcher, Dublin	.....	4	.....	.....	4	4
Rev. Mr. Stephenson, Children's Home, London	25	1	17	.....	43	34½
Ex Fleet School, London	5	.....	.....	.....	5	5
Lady Hobart, London	6	10	9	.....	25	20½
Miss Fletcher, Liverpool	5	4	3	.....	12	10½
South Dublin Union	.....	15	.....	.....	15	15
Boys' Refuge, London	15	.....	.....	.....	15	15
Rev. Mr. Nugent, Liverpool	1	1	.....	.....	2	2
Wandsworth School, London	3	.....	.....	.....	3	3
Total	108	54	207	17	386	265½

Amongst the arrivals were 4,170 single men and 1,812 single women, according to the ships' passenger lists; and from the same authority the Dominion Agent at Quebec classifies the occupations of the male adult passengers as follows :—Farmers, 1,187; Labourers, 3,459; Mechanics, 1,033; Clerks, 6.

This statement is far from correct, as the occupations are not correctly given in the passenger lists, which has been repeatedly shown by the occupations named by the immigrants themselves.

During the season of 1875 there were forwarded from this Agency to Ontario 6,489 souls; of these over 3,000 were agricultural labourers and female domestic servants.

Very few old or infirm persons have arrived at this Agency during the year, and all such were on their way to join friends. A few cases of serious illness on board ship were reported to the medical officers of the port, and the immigrants thus afflicted were removed to the Marine Hospital shortly after the ships had arrived at the Government Depot wharf, at Point Levis.

In several respects this Report comes short of the information furnished in the previous Reports from the Agency; as under the recent arrangements, by which the Dominion Agency here furnish statistics, several of the most valuable tables cannot be filled up, such not being kept by the Dominion agent.

In closing, I beg to call your attention to the courtesy which I have always received from the officials of the Custom House, the Grand Trunk Railway officials at South Quebec, and from Mr. Spence, the careful, attentive and very efficient Secretary of the Immigration Department, Toronto.

I have the honour to be,
Sir,
Your obedient servant,

E. A. MACLAURIN,
Agent.

Hon. S. C. Wood,
Commissioner of Immigration,
Toronto, Ontario.

REPORT OF MR. R. M. PERSSE,

TRAVELLING AGENT WITH IMMIGRANTS FROM PORTS OF DEBARKATION TO TORONTO.

TORONTO, 31st December, 1875.

SIR,—I have the honour to submit the following Report of my operations during the season of 1875, as Travelling Agent with immigrants from ports of debarkation to Ontario.

In accordance with instructions received from the Department, I proceeded to Portland on the 4th of March, arriving there on the 7th; and on the 8th left Portland in charge of the assisted immigrants of the S.S. "Sarmatian" (which had on board a large number of agricultural labourers and female domestic servants for Ontario), and arrived in Toronto on the morning of the 11th of the same month.

I made weekly trips to Portland during the remainder of March and month of April, convoying the immigrants of seven mail steamers to Ontario, and leaving off at way stations, west of Montreal and east of Toronto, a number of farm labourers.

In the early part of March, James Daly, Esq., of the Town of Newburg, was deputed by a number of farmers in that vicinity to visit Portland and engage some farm hands for them. Mr. Sumner, the Dominion Agent, and myself rendered Mr. Daly every assistance to enable him to procure the labour required. We succeeded in getting a number of both single and married men, the latter with large families; and on arriving at Napanee, the nearest station on the G. T. R., I was met by a number of the employers with their teams to convey the immigrants to their new homes. All seemed much pleased with the selection made.

I may also mention that during the season farm labourers and female domestic servants were in great request in the districts east of Toronto. I found that the supply was always inadequate to the demand.

I had to supply provisions on board the cars, and free meals, when necessary, at Richmond, Cornwall, Prescott, Kingston and Cobourg, to such farm labourers and female domestic servants as received the bonus in advance.

Finding in many instances women and children in destitute circumstances, some of whom were coming to join their husbands and fathers in Ontario, I supplied them with provisions on the journey, for which they felt very grateful.

I made it a point to go through the cars constantly, converse with the immigrants, find out their position, trade and destination, distribute maps, pamphlets, &c., &c., among them, and give such other information and advice as I deemed necessary.

The agricultural labourers arrived during the season were a good class, and well suited to the wants of the country.

It has been the practice of the Agent in London to forward a list of the assisted immigrants to the Agent at Quebec or Portland, giving number of souls and adults; these lists were always handed to me on taking charge of the immigrants, and I have been particular in seeing that those whose names appeared on the list were on board the cars. By that means I have been able to trace, in every instance, as in the following table, the destination of such immigrants as received the bonus in advance in reduction of passage money.

STATEMENT shewing the number of assisted Immigrants, with their destination, arrived in Ontario during the ten months ending 31st October, 1875.

Destination.	Souls.	Adults.	Destination.	Souls.	Adults.
Lancaster	5	2½	Belleville	45	34
Cornwall	7	7	Brighton	2	2
Dickenson's Landing	6	6	Newcastle	63	49
Prescott	8	6	Port Hope	29	22½
Ottawa	413	347	Cobourg	31	23
Brockville	49	39	Port Colborne	25	18½
Kingston	132	109	Bowmanville	31	24½
Napanee	124	105½	Uxbridge	10	7

Destination.	Souls.	Adults.
Whitby	10	7½
Lindsay	9	7
Peterborough	11	10
Pakenham	29	23½
Port Perry	4	3½
Omemee	3	3
Almonte	1	1
Renfrew	1	1
Grafton	2	2
Duffin's Creek	10	9
Port Credit	2	2
Picton	1	1
Oshawa	21	17
Scarboro'	13	12
Toronto	2057	1613½
Hamilton	67	53½
London	62	47
Brantford	43	36
Bradford	39	30½
Brampton	10	5
Woodstock	92	73½
Clinton	34	25½
Stratford	24	17
Strathroy	1	1
Mimico	6	5
Chatham	34	29
Weston	5	3
Ingersoll	25	17½
Guelph	63	47½
Carronbrook	7	6
Angus	16	11½
Galt	10	9½
Bothwell	2	2
Mitchell	37	28½
Collingwood	16	13½
Seaforth	6	6
Paris	49	39
Kinloss	8	5½
Fergus	18	12
Georgetown	6	5
St. Thomas	5	5
Oakville	3	3
Pembroke	4	3
Mount Brydges	16	12½
" Forest	8	6½
Windsor	2	2
Parry Sound	7	4½
Blair	9	5½
Thorndale	1	1
Tilsonburg	3	2
Orangeville	5	4½
St. Catharines	17	10
Dunville	2	2
Simcoe	1	1
Widder	1	1
Glencoe	2	2
Arthur	1	1
Bolton	1	1
Perrytown	4	2½
Amaranth	13	9½
Berlin	6	5
Elora	9	7
Appleton	1	1
Malton	7	6
Walkerton	3	3
Cooksville	7	6½
Dundas	6	5
Brockton	3	2
Wellington Square	12	12
St. Mary's	4	2½
Yarmouth Centre	9	7
Bright	1	1
Preston	8	5½
Paisley	9	7½
Goderich	32	23
New Lowell	1	1
Newmarket	12	11
Lucan	8	4
Cayuga	5	3
Shelbourne	2	2
Dundas	10	7
Barrie	4	2½
Kincardine	12	9
Thamesville	11	10½
Thorold	14	10
Owen Sound	5	3
Klineburg	1	1
Port Stanley	7	5½
Harrisburg	17	13½
Orillia	6	2½
Clifton	1	1
Listowel	3	3

STATEMENT showing the number of assisted Immigrants, with their destination, arrived in Ontario (via Portland), for months of November and December, 1875.

Ottawa	13
Pakenham	7
Belleville	1
Duffin's Creek	3
Peterborough	1

Toronto	45
Hamilton	3
London	2
Brampton	3
Guelph	1
Orillia	1
Listowel	3
Mount Forest	2
Paris	6
Omemee	4
Harriston	1
Stratford	2
Ingersoll	8

During the season I accompanied the Immigrants of 54 steamers from Portland, Quebec and Montreal respectively, to Toronto.

I have the honour to be,
Your obedient servant,
RICHARD M. PERSSE.

Hon. S. C. Wood,
Commissioner of Immigration, Toronto.

ANNUAL REPORT OF C. W. COLTER, GENERAL IMMIGRATION AGENT FOR ONTARIO.

To the Honourable ADAM CROOKS,
Acting Commissioner of Immigration for Ontario,

SIR,—On my arrival from Liverpool, I took advantage of the first opportunity, and called upon you for instructions on the 5th of March.

You directed me at the interview then held to travel through the Province, calling upon the reeves, municipal officers and other prominent men, with a view of enlisting their hearty co-operation in the distribution of immigrants in the localities where their labour was most needed, and in making arrangements for their reception on their arrival at the railroad stations most convenient to their destination.

You further informed me that I would also be required to attend to any special duties that might be assigned to me from time to time in the interests of the Immigration Department.

I first proceeded to Cobourg, and closed up some business imposed upon me while in Liverpool, in connection with the Northumberland and Durham Immigration Aid Society.

I then went to Napanee to meet an assemblage of farmers, who had associated themselves together for the purpose of hiring the immigrants expected to arrive about the middle of March. A preliminary meeting had already been held, and Mr. McPherson, the Kingston Immigration Agent, was present. When I arrived I found the arrangements completed to the satisfaction of the people of that locality, one of themselves having been deputed as an agent to go to Portland and engage the emigrants immediately on their arrival, binding them by written agreement to work for the following wages:—Married men, $15 to $16 per month, with free house and firewood; single men, from $10 to $11 per month and board; and servant girls, $4 per month and board; the engagements to be in some cases for six months, and in others for a year.

I immediately objected in the interests of the immigrants, and claimed for them more liberal remuneration. A few acceded to my request, but others seemed resolved to obtain the men in accordance with the above terms, boasting that the agent whom they had sent was a good sharp man, and that he would have the men secured. I assured them that higher

wages were freely paid elsewhere, and that it was the duty of the Immigration Department to protect the immigrants in their just rights, and to give them the advantage of the best markets in the Province for their labour. A similar meeting was held on the same day at Newburg, the temper of the people there being much the same as at Napanee. That night I reported the results of both meetings to the Secretary of the Immigration Department, and on the Monday following instructions were telegraphed to Mr. Persse, at Portland, to prevent the people of Napanee and Newburg from binding down the immigrants to such terms.

Accordingly, only a few were left at Napanee, and these were engaged on more satisfactory terms than were originally proposed. The remainder also obtained good situations.

I then proceeded to Ottawa and had some bills printed, announcing meetings at Carleton Place, Renfrew, Arnprior, Pakingham, Almonte, Smith's Falls, Perth and Brockville, respectively. These places I visited, receiving applications from farmers, and forwarding them to Mr. Wills. The wages offered for farm hands were from $12 to $15 per month and board by the year, and for female servants from $5 to $8 per month and board.

I then proceeded to Gananoque, returning again to Brockville to meet the Council of the United Counties of Leeds and Grenville. The wages offered in the northern part of the Ottawa District are higher than in the southern, and indicated a greater demand for labour in the former than in the latter locality.

I next visited Belleville, in order to ascertain the correctness of a statement telegraphed to one of the Toronto journals, in regard to vagrant immigrants. On applying for information to the proper authorities, I found that the facts of the case were gravely distorted.

I then travelled through the Townships of Caistor, Canboro', Gainsboro', Wainfleet, Moulton and Sherbrooke, Pelham, North Cayuga, Rainham, Walpole, Oneida and Dunn, gaining information from the most reliable sources. I also attended a session of the Haldimand County Council. In this, the eastern section of the Niagara District, the demand for labour is largely supplied from the United States, a considerable number coming from England by way of New York, while the depression of business in the neighbouring Republic has caused many of its inhabitants to come to this Province in search of employment. The latter class contains a large proportion of the vagrant element, and to this movement the tramp nuisance is principally attributable.

Passing west, I visited the southern Townships of Norfolk, but on receiving instructions from the Department I proceeded to Hamilton for the purpose of making inquiries there, as requested by you. I then passed through Brant, the northern part of Norfolk, and the southern Townships of Oxford.

Here the demand for agricultural labour was fair, and the wages offered were reasonable.

I then traversed the country adjacent to St. Thomas, London, Strathroy and Wyoming, returning by the Southern Railroad to St. Thomas. At the latter place, the Mayor, on my first visit, complained that immigrants unsuited to this country had been shipped to him and thrown upon the town for support. I tried to elicit from him the facts, particularly inquiring as to the persons who caused these people to immigrate. He could not supply me with the information at the time, but promised to furnish it to me if I would return at a future period. When I came back, according to agreement, he could not render me any assistance in finding these people, and I felt inclined to consider his complaint groundless. I was strengthened in this conviction by information supplied to me from respectable residents of St. Thomas.

I next proceeded on the line of the Northern Railroad to Newmarket. I spent some time in the Townships of King, Whitchurch and East Gwillimbury. Immigrant labour is much sought after in this section, and good wages are offered. I then went north to Bradford, and thence to Barrie, where I met and addressed the Simcoe County Council. The feeling in favour of securing more agricultural labour is intense in this section, and house accommodation for a large number of families was guaranteed.

I next reached Meaford, and I found the farmers in that vicinity desirous of co-operating in the movement. Good wages would be given to good men, but many hire for only the summer months.

I then visited Owen Sound, but the country in this section is not inviting, and the prospects for immigrants are poor in comparison with those held out elsewhere.

I then proceeded to Southampton, Port Elgin and Kincardine, in Bruce. A large num-

ber of young men left this county for Manitoba in the spring. This exodus produced such a scarcity of labour that excessive wages were demanded and paid. As a consequence, the people were very desirous of securing immigrants. The return of almost all who had gone to Manitoba early in the season relieved this want, which had become so oppressive to the employers.

I then visited Goderich and Stratford, and found the demand for agricultural labour good, and fair wages offered.

I next went to Guelph, Elora, Fergus, Palmerston, Listowel and Mitchell successively. These sections have been receiving constant supplies of immigrant labour, and fair wages are paid.

I next proceeded up the Toronto, Grey and Bruce Railroad, calling at Klineburg, Caledon East, Orangeville, Mount Forest, Harriston and Walkerton, and interviewing the Reeves and other prominent men in the vicinity of these places. I found the farmers here desirous for the most part of hiring during the summer months only, but the wages offered for the term were quite liberal. A limited number of immigrants has been distributed along this line.

I then went to Port Hope, Lindsay and Woodville. These places have received supplies of immigrants from the Northumberland and Durham Immigration Aid Society, and the wages paid this season show an increase over previous years.

I then went to Kinmount, reported to you on the condition of the Icelanders, and proceeded to make arrangements for transferring them to the agricultural districts. Some of these were hired in the spring by farmers in the vicinity of Lindsay and Peterborough, others found employment on the Colonization Roads and on the extension of the Northern Railroad. The position of the former was already satisfactory, while the early termination of the works on which the latter were engaged rendered a change of location necessary.

I also visited Kent and Essex for the purpose of ascertaining the position of the French settlers there. This step was prompted by the visit of a gentleman from France seeking information in the interests of the peasant farmers and farm-labourers of that country. I visited several townships in these counties, and conversed with the municipal officers and others in regard to the prospects for such immigrants. A general feeling seemed to prevail in favour of such a movement. Employment can readily be obtained by those willing and able to work, and good land can be cheaply procured in districts where the French language is spoken as generally as the English.

General Observations.

I have, during the present season, visited every County in Ontario except Russell and Peterborough. While it might be wrong to speak very definitely in regard to the comparative advantages offered by different districts to agricultural immigrants, from so limited an experience, I feel justified in saying that York, Simcoe, Carleton, Northumberland and Durham hold out very great inducements to the steady and industrious farm-labourer. I have no hesitation in asserting that any County in Ontario can readily absorb a considerable amount of such labour, and a fair equivalent will be readily paid by the employers. The universal complaint that has met me everywhere has been the inadequacy of the supply of agricultural labour, and fault has frequently been found with the Immigration Department for not adopting more energetic measures to increase that supply. The demand for domestic servants is everywhere very urgent, and it is next to impossible to get any immigrants of this class beyond the towns and cities. I have represented to those living in the country that the only way in which this want can be lessened is by making provision for the accommodation of families, the girls of which would be available for house work in the neighbourhood, and this has induced some to provide dwellings. I have also urged the necessity of taking such action on other grounds. Labourers are generally allowed only about $60 or $70 extra per annum when they board themselves; while, when they live with their employer, the food consumed by each is worth during the year not less than $100. It is clearly to the interest of the employer and the employed that each should sit at his own table and enjoy family intercourse. I hope that cottages will be more generally provided for the labourers in

the rural districts, feeling satisfied that those who manifest the necessary enterprize and forethought in this respect will reap a liberal return from the investment.

Mechanics.

The only classes assisted by the Ontario Government to come to this Province are agricultural labourers, their families and female domestic servants. Notwithstanding this fact, a considerable number of mechanics, clerks and others of various callings find their way here, many of them asserting that they are Government immigrants, in the hope of increasing the strength of their claim for assistance. I have inquired into several cases of this description, and I have found, by dint of close questioning, that they were induced to come here either by their friends, steamship agents, or so-called benevolent organizations in the Old Country, and that no inducements whatever were held out by Government agents to persuade them to leave the land of their birth. The most difficult immigrants to satisfy are those who come from the great city of London, and who, if they do not find everything exactly to their liking, vent their spleen and endeavour to infuse terror by threatening to write to the *Times*.

It is an undeniable fact that there has been during the present season but little demand for any other classes than those specially assisted by the "bonus," and that all future operations should likewise be arranged in accordance with this fact.

Distribution.

This is the most difficult question to arrange satisfactorily in connection with the immigration movement. Many come to this country at the solicitation of friends and acquaintances whom they naturally desire to rejoin on this side of the Atlantic. These social ties frequently prevent the new-comer from disposing of his labour to the best advantage, and it is a fact that those localities which received the largest supply of immigrants last year have also had the preference this season, as a result of that cause.

Farmers residing in the vicinity of Toronto, Hamilton, London, Kingston and Ottawa, also make a practice of visiting the various depots for the purpose of securing such help as they need. The competition ensuing from the presence of several employers, and the assistance of the local agent, generally enable the immigrants to make very good bargains, but this system enables the people of these districts to secure the best men, the poorest being left for distribution in places less favourably located.

The Northumberland and Durham and the Ottawa Valley Immigration Aid Societies have been the means of settling a large number of immigrants in their respective districts during the last few years, the selection of the men in the Old Country being made by Government and other agents specially authorized for that purpose.

It will thus be seen that a large number of the immigrants who come to this country are settled wholly independent of the local agencies, and it is doubtful whether any radical change in this respect, if practicable, is desirable. Many farmers apply for immigrants to be sent to them, without stating the remuneration which they will give, and in some cases they are not above taking advantage of the poor men on their arrival. It is also almost impossible to get the municipal bodies to make any arrangements for the reception of immigrants applied for by them. I have urged them to appoint some man at their respective railroad stations as an agent to convey these poor people to their employers, or at least to give them the counsel and assistance necessary, but in many cases I have failed to obtain their consent to that course; in others the promise made has not been fulfilled.

It seems to me desirable that an effort should be made to have the immigrants classified, so far as their destination is concerned, at Quebec, due regard being paid to their preferences. If the person performing this duty were to receive from each of the local agents weekly reports of the numbers wanted in the several departments of labour, and of the wages offered, he would be enabled to allot the immigrants to the different agencies in a manner more equitable than the present system permits. It would then be impossible to ship an undesirable immigrant from one agency to another merely to get rid of him, and each section would receive its proportionate share of the valuable and the worthless.

In closing this Report, I would desire to assert most strongly that female domestic servants and farm labourers are in great demand, and that the supply during the present season has proved wholly inadequate to meet the wants of the people of this Province.

I have the honour to remain,
Your obedient servant,
C. W. COLTER

October 7th, 1875.

REPORT OF MR. W. J. WILLS DOMINION IMMIGRATION AGENT, OTTAWA.

GOVERNMENT IMMIGRATION OFFICE,
Ottawa, 1st January, 1876.

STATEMENT showing the number of Immigrants arrived at this Agency for the twelve months ending 31st December, 1875, and their Nationality, the number assisted with Provisions and with Free Passes by Railways or other conveyances, from this Agency to their respective places of destination.

NATIONALITY.	Via St. Lawrence.				Via United States.				Total.			
	Men.	Women.	Children.	Total.	Men.	Women.	Children.	Total.	Men.	Women.	Children.	Total.
England	179	86	98	343	113	71	90	294	292	157	188	637
Ireland	92	78	25	195	55	42	32	129	147	120	57	324
Scotland	72	35	15	122	27	5	1	33	99	40	16	155
Germany	20	17	21	58	17	8	7	32	37	25	28	90
France	82	16	11	109	48	4	9	61	130	20	20	170
Sweden	2	1	...	3	3	...	...	3	5	1	...	6
Total	427	233	170	830	283	130	139	552	710	363	309	1382

During the year temporary relief was granted to 1,126 souls, equal to 990 adults actually needing it, at a cost of $2 55 per adult:—

NATIONALITY.	Men.	Women.	Children.	Total.
England	225	154	184	567
Ireland	107	103	38	248
Scotland	52	18	13	83
Germany	37	19	19	75
France	122	14	11	153
Sweden	2	1	1	4
Total	545	309	272	1126

STATEMENT showing the number of Immigrants arrived, and remained to be dealt with at the Ottawa Agency for twelve months ending 31st December, 1875.

MONTHS.	Arrivals via St. Lawrence.	Arrivals via U. States.	Total.	Number Fed.	Number Free Transport.
January		43	43	31	10
February		29	29	24	8
March		52	52	52	18
April		190	190	188	128
May	174	15	189	159	105
June	145	4	149	103	63
July	132	24	156	110	50
August	99	14	113	79	44
September	109	13	122	84	69
October	102	21	123	95	84
November	69	9	78	68	47
December		138	138	133	17
Total	830	552	1382[1]	1126	643

[1] 5 left the Province, leaving 1377 actually settled in Ontario.

W. J. WILLS,
Agent.

D. Spence, Esq.,
Secretary Department of Immigration,
Toronto.

REPORT OF R. MACPHERSON, DOMINION AGENT, KINGSTON.

GOVERNMENT IMMIGRATION OFFICE,
Kingston, 31st December, 1875.

SIR,—I have the honour to submit for the information of the Hon. the Commissioner of Agriculture, the annexed statistics, showing the working of this Agency for the year 1875. I experienced considerable difficulty in placing immigrants during the past season, with the exception of farm labourers and female domestic servants: of these, I could in the early season have found good situations for fully double the number received, and at good wages. I would strongly recommend that these classes should come out early in spring, when there is always a large demand for them, and in most cases I could place them in situations for twelve months if so desired by them.

A large number of Canadians have returned from the United States during the year, owing to the dull times and scarcity of employment there: and there has also been a considerable number of American citizens come to Canada for the same reasons, and not a few have settled on the Free Grant lands in Ontario.

I desire again to mention the uniformly prompt and kindly manner in which your Quebec Agent, as also Mr. Persse, have discharged the duties of their office in connection with this Agency, and would further state that I have frequently heard immigrants speaking of the kindness shown them by these gentlemen.

All of which is most respectfully submitted.

I have the honour to be, Sir,
Your obedient servant,
R. MACPHERSON,
Government Immigration Agent.

David Spence, Esq.,
Immigration Secretary,
Toronto.

STATEMENT showing the number of Immigrants arrived at the Kingston Agency for the twelve months ending 31st December, 1875, and their Nationality; the number assisted with Provisions and with Free Passes by Railways or other conveyances, from this Agency to their respective places of destination.

COUNTRY FROM.	Arrivals via the St. Lawrence.	Arrivals via the United States.	Total.	Remained in the Province of Ontario.	Went to the United States.	Number assisted with Provisions.	Number assisted with Free Passes.
England	744	354	1101				
Ireland	180	74	254				
Scotland	237	43	280	1673	15	552	612
Germany	2	4	6				
Norway							
Other Countries	43	45	97				
Settlers from the United States, per report from Collectors of Customs		2625	2625	2625			
Total	1209	3154	4363*	4298	15	552	612

* The number of European Immigrants actually settled was 1485

Fifty passed to the Province of Quebec.

SETTLERS from the United States, as reported by the Collectors of Customs at the different Ports of Entry within this Agency, giving value of their effects.

Whitby	104	value of effects	$1409 00
Oshawa	252	" "	6985 00
Bowmanville	86	" "	910 00
Newcastle	16	" "	400 00
Port Hope	421	" "	5292 00
Cobourg	257	" "	2455 00
Cramahe	55	" "	1360 00
Brighton	24	" "	832 00
Trenton	60	" "	1040 00
Belleville	527	" "	11843 00
Picton	39	" "	629 00
Napanee	62	" "	2834 00
Kingston	554	" "	14252 00
Gananoque	168	" "	4225 00
Total	2625		$54,466 00

STATEMENT showing the total number of Immigrants arrived and remained to be dealt with at the Kingston Agency, for the twelve months ending 31st December, 1875.

Months.	Via St. Lawrence.	Via the United States.	Total.	Number Fed.	No. distributed by Free Passes.	No. of Meals furnished.
January	13	24	37	27	35	43
February	9	31	40		19	
March	5	133	138	20	17	56
April	4	254	258	57	51	171
May	314	11	325	134	129	474
June	193	11	204	64	53	195
July	266	14	280	70	90	148
August	142	20	162	55	64	105
September	113	2	115	38	55	85
October	105	1	106	36	26	97
November	28	21	49	27	49	52
December	17	7	24	24	24	72
Settlers from the United States, as reported by the Collectors of Customs within this District		2625	2625			
Total	1209	3154	4363*	552	612	1498

*The number of European Immigrants actually settled was 1485.

STATEMENT showing the number and destination of Immigrants forwarded from this Agency by Free Passes, for the twelve months ending 31st Dec., 1875.

Stations.	Adult Passes.	Stations.	Adult Passes.
Toronto	99½	Peterboro'	3
Lancaster	7	Ottawa	25½
Montreal	43	Omemee	5
Belleville	27½	Amherst Island	14
Prescott	29½	Picton	14
Port Hope	39½	Perrytown	9
Cornwall	21	Perth	3½
Whitby	9	Marysburgh	1
Napanee	14	Fredericksburgh	1
Newcastle	4	Bath	4
Loughborough	30	Lakefield	1
Brockville	28½	Almonte	2
Cobourg	3	Renfrew	7
Ernesttown	2	Lindsay	1
Oshawa	5	Darlington	4
Newtonville	3	Beaverton	2
Gananoque	2	Hamilton	3
Duffin's Creek	2½	Woodville	2½
Quebec	2	Odessa	3
Colborne	1	Sydenham	2
Brighton	1		
Lyn	1	Total	483½
Mallorytown	1		

REPORT OF JOHN A. DONALDSON, DOMINION IMMIGRATION AGENT, TORONTO.

IMMIGRATION OFFICE, TORONTO,
1st January, 1876.

DAVID SPENCE, Esq.,
Secretary Immigration Department,
Toronto.

SIR,—I have the honour of submitting, for the information of the Honourable the Commissioner of Immigration, my Annual Report for the year just closed, together with the usual Returns, which I trust will contain every necessary information.

The number of immigrants that reached this Agency during the year was 11,498 of these, 9,688 came via the St. Lawrence route and 1,810 via the United States; 10,418 remained in Canada, while the balance, 1,080, went through to the United States.

Of these, some 3,000 Russian Mennonites passed on to the Province of Manitoba; the balance, who were mostly agricultural labourers from Great Britain, were an excellent, well-adapted and much-needed class of settlers to our Province, and I am happy to be able to say that they have given every satisfaction to their employers, as not a single complaint has reached this Agency from any quarter; and of this class of immigrants, together with domestic servants and lads, I can honestly say, both for the information of the Department and for the benefit of those intending to emigrate to Ontario, that I have yet to see the day the supply was anything like equal to the demand.

Parties arriving during the season were extremely healthy, and one and all spoke in the highest terms of the treatment they received from the Government agents at Point Levi, and on transit from there to Toronto, and from railway conductors and other employees; they also spoke highly of their treatment from the various lines of steamships while crossing the Atlantic.

About $100,000 was brought into the Province by settlers during the season, and expended chiefly in the purchase of cleared farms. Parties so purchasing have expressed their satisfaction, and are hopeful of getting on successfully; it is to be hoped another year will see larger numbers of this class of settlers coming to our shores, as the inducements have become very inviting indeed of late, when it is known that farmers can make it a most profitable business to turn their attention to stock-breeding on a large scale. The best proof of this that I can offer is in the result of two sales which took place in this city during the last season: the first of these, which took place in June, realised upwards of $80,000; at the second, which took place later on in the season, one farmer alone sold $50,000 worth out of his herd.

Less objection should be made to our climate when it is ascertained as a fact that some 3,000 of the good old veterans of 1812 are still alive, many of them between 90 and 100 years old, and averaging about 84 years.

With wages falling in England, as they are at present, and the prosperous condition of our agricultural districts, we may safely calculate on a large increase to our Province this coming year.

In conclusion, I have to state that economy has been strictly observed, and that the business of this Agency has been in every way satisfactory.

All of which is most respectfully submitted.

I have the honour to be,
Sir,
Your obedient servant,
JOHN A. DONALDSON,
G. I. A.

STATEMENT showing the number of Immigrants arrived at the Toronto Agency for the twelve months ending 31st December, 1875, and their Nationality; the number assisted with Provisions and with Free Passes by Railways or other conveyances, from this Agency to their respective places of destination.

COUNTRY FROM.	Arrivals via the St. Lawrence.	Arrivals via the United States.	Total.	Remained in the Province of Ontario.	Went to the United States.	Number of Free Meals furnished.	Number assisted with Free Passes.
England	3937	596	4533	4533			
Ireland	608	64	672	672			
Scotland	831	40	871	871			
Germany	358	113	471	24	447	13200	4016
Norway	580	63	643	10	633		
Swiss and Italians	41	54	95	95			
Russian Mennonites	3333		3333	3333	to Manitoba		
American Citizens		20	20	20			
	9688	950	10638	9558	1080	13200	4016
Entered via Port of Toronto		860	860	860			
Total	9688	1810	11498	10418	1080	13200	4016

RETURN of Immigrants who entered the Dominion at the Port of Fort Erie from 1st January to 20th December, 1875.

NATIONALITY	Males over 14.	Females over 14.	Males under 14.	Females under 14.	Total.
Germans	18	23	13	29	83
Canadians	14	9	8	16	47
Americans	16	17	2	14	49
English	21	18	13	8	60
Irish	2	5	4	2	13
Scotch	2	2	1	1	6
French	3	1		4	8
Total	76	75	41	74	266

RETURN of the Port of Clifton.

NATIONALITY.	Male Adults	Female Adults	Children under 14.	Total	Value of Effects
					$ cts
England	12	14	24	50	5650 00
Ireland	8	10	11	29	1145 00
Scotland	3	3	9	15	750 00
Germany	2	2	6	10	1645 00
United States	29	26	22	77	5275 00
Canadians	52	54	79	185	9647 00
Total	96	109	151	366	24078 00

RETURN of the Port of Hamilton.

NATIONALITY.	Number of Persons.	Value of Effects.
		$ cts.
English	152	14145 00
Irish	46	945 00
Scotch	38	1670 00
Russians	3	200 00
Italians	1	40 00
Germans	66	3690 00
Americans	189	11286 00
Canadians	127	5374 00
Total	622	37350 00

STATEMENT showing the total number of Immigrants arrived and remained to be dealt with at the Toronto Agency, for the twelve months ending 31st December, 1875.

MONTHS.	Via St. Lawrence.	Via the United States.	Total.	Number Fed.	No. distributed by Free Passes.
January		93	93	100	81
February		98	98	400	95
March		506	506	1700	10[illegible]
April	608	155	763	2000	79[illegible]
May	1685		1685	2750	809
June	1210		1210	1700	[illegible]
July	3097		3097	1300	5[illegible]
August	336		336	1000	227
September	385		385	500	236
October	287		287	1000	192
November	100	25	125	600	140
December		73	73	150	135
Entered via Port of Toronto		860	860		
Total	8008	1810	10418*	13200	4016

* This statement includes 3020 Mennonites who went to Manitoba, and 860 American citizens. The number of European emigrants actually settled in Ontario, through this Agency, was 6538.

DAVID SPENCE,
Secretary, I. D.

RETURN showing Number and Nationality of Immigrants entered via Port of Toronto

NATIONALITY.	Males.	Females.	Children.	Total.	Value of Effects.
					$ cts.
English	70	68	80	218	10207 00
Irish	29	27	41	97	4150 00
Scotch	16	19	35	70	3489 00
Germans	13	21	23	57	3690 00
Danish	2	2		4	160 00
Italians	6	5	10	21	160 00
Swiss	1	1	4	6	40 00
French	2	3		5	120 00
Russians	2	2	6	10	680 00
Polish	2	2	4	8	240 00
Prussians	1	1	1	3	100 00
Bohemians	1	1		2	80 00
Canadians	6	10	13	29	3616 00
Americans	100	110	120	330	39054 00
Total	251	272	337	860	65834 00

STATEMENT showing the number and destination of Immigrants forwarded from this Agency by Free Passes, for the twelve months ending 31st December, 1875.

STATIONS.	Adult Passes.	STATIONS.	Adult Passes.
Acton	6	*Brought forward*	1282
Agincourt	16	Grimsby	3
Allandale	9	Guelph	17
Alton	43	Hamburg	2
Amaranth	4	Hamilton	138
Angus	22	Harrisburg	5
Arcyle	4	Harriston	10
Arthur	1	Holland Landing	1
Aurora	28	Ingersoll	36
Aylmer	1	Jordan	35
Barrie	36	Kerwood	3
Barteaux	6	King	5
Beachville	6	Kingston	93
Beamsville	6	Kincardine	4
Belle Ewart	2	Kleinburg	6
Belle River	1	Komoka	8
Belleville	11	Lake Joseph	2
Berlin	85	Lake Rosseau	5
Black Creek	7	Lefroy	4
Bolton	3	Limehouse	3
Bowmanville	7	Lindsay	2
Bothwell	5	Listowel	21
Bracebridge	162	London	246
Bradford	82	Lucknow	10
Bramley	1	Malton	38
Brampton	113	Manitoulan Island	6
Brantford	24	Markham	128
Brighton	2	Meaford	69
Bright	3	Merritton	7
Brockville	4	Milduay	4
Bronte	16	Mimico	5
Caledonia	3	Mitchell	6
Cannington	13	Mono Road	9
Charleston	9	Montreal	18
Chatham	76	Mount Forest	6
Chatsworth	18	Nanemee	6
Clifford	3	Newbury	14
Clifton	7	Newcastle	4
Clinton	96	New Lowell	16
Cobourg	18	Newmarket	32
Coleung	2	Newtonville	2
Colborne	2	Niagara	5
Collingwood	58	Norval	6
Craigs	1	Oakville	61
Davenport	3	Omemee	4
Dorchester	3	Orangeville	65
Drayton	2	Orillia	62
Drumbo	7	Oshawa	16
Duffin's Creek	3	Ottawa	21
Dundalk	2	Owen Sound	26
Dundas	2	Paisley	2
Elora	10	Palmerston	7
Fergus	8	Paris	20
Flesherton	6	Parkhill	8
Forest	15	Parry Sound	57
Galt	87	Peterborough	4
Gaudenhill	2	Petersburg	1
Georgetown	20	Petrolia	1
Gilford	4	Port Credit	44
Glenroe	15	Port Elgin	8
Goderich	44	Port Hope	10
Gobkstone	21	Port Perry	2
Goodwood	1	Port Union	1
Gorrie	1	Prescott	6
Granton	9	Preston	5
Gravenhurst	15	Quebec	4
Carried forward	1282	*Carried forward*	2942

STATIONS.	Adult Passes.	STATIONS.	Adult Passes.
Brought forward	2942	*Brought forward*	3374
Richmond Hill	8	Teeswater	27
Ripley	4	Tilsonburg	3
Rockwood	13	Thamesville	7
Sarnia	30	Thornbury	63
Scarborough	10	Thornhill	31
Seaforth	30	Thorold	6
Severn Bridge	24	Unionville	3
Sherbrooke	6	Uxbridge	14
Shelbourne	33	Walkerton	9
Silver Islet	2	Washago	5
Southampton	15	Wellington Square	5
Stayner	78	Weston	14
St. Catharines	105	Widder	12
St. Mary's	5	Whitby	6
St. Thomas	17	Windsor	19
Strathroy	2	Wingham	17
Stratford	44	Woodbridge	8
Stouffville	1	Woodstock	61
Stony Point	2	Woodville	5
Sunderland	1	Wroxeter	5
Suspension Bridge	2	Winona	6
Carried forward	3374	Total	3800

REPORT OF JOHN SMITH, DOMINION IMMIGRATION AGENT, HAMILTON.

Immigration Office, Hamilton,
January 19, 1876.

To the Honourable
The Commissioner of Agriculture,
Toronto.

Sir,—I have the honour to submit the following Report of this Agency for the year ending 1875.

There has been a good demand for all classes of agricultural labourers and female domestic servants during the past year, many of our farmers not being able to obtain the required hands when applied for.

There has also been a fair demand for common labourers. All such have been easily supplied with employment at fair wages when willing to accept of work in the rural districts; in corroboration, I herewith forward a copy of a communication addressed to the Mayor of this city and his reply thereto.

I have experienced some difficulty in at once procuring employment for skilled labourers, such as artizans, mechanics, tradespeople and clerks, with the exception of carpenters and power-loom weavers; the latter are still sought after for our cotton mills, the manufacturers being still in want of good hands.

A large proportion of the immigrants arrived during the past year have been well adapted for settlers, especially those sent out under the auspices of Mr. Joseph Arch; they belong to the Agricultural Labourers' Union of England. This class were eagerly sought after on arrival, commanding full wages, and they are now all doing well. Some difficulty arose in providing cottages for those having large families, but not to the extent as was at first anticipated. The feeling amongst the farmers is growing in favour of providing cottages for their hands.

The general health of the immigrants has been good, with the exception of some isolated cases; and those that arrived early in the season, being on board the ice bound steamers, they were suffering from temporary colds caught by exposure, the most suffering being amongst the small children and infants; the number of deaths being one male adult and two children.

I have made several visits to the Children's Home at this place, the same being under the management of Mr. R. T. Riley. This institution is well conducted; the boys are well selected and receive a good training before being sent out to this country: they readily find employment, and are sought after by our farmers, where they are visited annually by the Superintendent until they attain the age of eighteen years.

Statement A. shows a decrease of arrivals at this Agency of 22,592 for the past year as compared with 1874, the decrease of those remaining in Canada being 3,668, whilst those going to the Western States show a decrease of 18,924, showing a very large per centage in favour of Canada.

Statement (B) shows the following increase and decrease of those settling in Canada and the Western States in 1875, as compared with the previous year:—

NATIONALITY.	CANADA.		WESTERN STATES.	
	Increase.	Decrease.	Increase.	Decrease.
English		2467		3852
Irish	27	..		44
Scotch	103			
German	99			11346
Norwegian		60		3491
U. S. Citizens		1645		
Other Countries	275	..		191

Statement C. shows a decrease of capital amounting to $277,795 brought into Canada by immigrants and settlers.

Statements D., E. and F. show the number of immigrants assisted, where located, and the expenditure.

I would respectfully draw your attention once more to the desirability of building the necessary accommodation required here for the protection and welfare of the immigrants on their arrival, the premises here being, as you are aware, entirely unfit for the purpose, and in addition it is not safe for them to be crossing the railway tracks when the engines and cars are continually shunting.

I have every reason to believe that there will be a good demand for all kinds of labourers and domestic servants during the next season; at the same time, I do not think there will be any demand for mechanics of any description until trade and the various railway interests revive.

All of which is respectfully submitted.

I have the honour to be, Sir,
Your obedient servant,
JOHN SMITH,
Immigration Agent.

(Copy.)

IMMIGRATION OFFICE, Hamilton, Dec. 31, 1875.

DEAR SIR,—During the term of your office as the Mayor of this City for the year 1875, will you be so kind as to inform me if the City has been put to any expense by having to grant aid or assistance to any immigrant? Also inform me if you are aware of any immigrant in want of employment at the present date?

Yours truly,
JOHN SMITH.

George Roach, Esq.,
Mayor of the City of Hamilton.

(Copy.)

MAYOR'S OFFICE, HAMILTON, ONTARIO,
3rd January, 1876.

DEAR SIR,—It affords me very great satisfaction to acquaint you that since I have had the honour of being Mayor of this City, I have had no applications from immigrants for assistance, and at the present time I am not aware of any being out of employment. This fact has been very forcibly impressed upon me, for previous to your appointment as Immigration Agent, this City was greatly annoyed by parties representing themselves as immigrants requiring assistance and work.

Yours faithfully,
GEORGE ROACH,
Mayor.

John Smith, Esq.,
Immigration Agent, Hamilton.

STATEMENT A.

Yearly Returns of Immigrant arrivals and departures at the Hamilton Agency for the years ending December 1874 and 1875 :—

NATIONALITY.	Via St. Lawrence.	Via Suspension Bridge.	Total.	Remained in Canada.	Went to the Western States.
English	1373	2800	4173	3268	905
Irish	139	106	245	245	
Scotch	193	96	289	289	
Germans	85	7044	7129	673	6456
U. S. Citizens		2153	2153	2153	
Other Countries	20	546	566	327	239
1875	1810	12745	14555	6955	7600
1874	3071	34076	37147	10623	26524
Decrease	1261	21331	22592	3668	18924

JOHN SMITH,
Agent.

STATEMENT B.

Comparative Statement showing the number of Immigrants and their destination for the years ending 1874 and 1875, at the Hamilton Immigration Agency :—

NATIONALITY.		Via St. Lawrence.	Via Suspension Bridge.	Total.	Increase.	Decrease.	Remained in Canada.	Increase.	Decrease.	Went to the Western States.	Increase.	Decrease.
English	1874	2736	7756	10492			5735			4757		
"	1875	1373	2800	4173		6319	3268		2467	905		3852
Irish	1874	153	109	262			218			44		
"	1875	139	106	245		17	245	27				44

STATEMENT B.—*Continued.*

Comparative Statement showing the number of Immigrants and their destination for the year ending 1874 and 1875, at the Hamilton Immigration Agency :—

NATIONALITY.		Via St. Lawrence.	Via Suspension Bridge.	Total.	Increase.	Decrease.	Remained in Canada.	Increase.	Decrease.	Went to the Western States.	Increase.	Decrease.
Scotch	1874	62	124	186			186			..	..	
"	1875	193	96	289	103		289	103		..	..	
Germans	1874	33	18343	18376			574			17802	..	
"	1875	85	7044	7129		11247	673	99		6456	..	11346
Norwegians	1874	55	3496	3551			60			3491	..	
"	1875					3551			60	..	..	3491
U. S. Citizens	1874		3798	3798			3798	..	..	..	..	
"	1875	..	2153	2153		1645	2153	..	1645	..	..	
Other Countries	1874	32	450	482			52		..	430	..	
"	1875	20	546	566	84		327	275	..	239	..	191
Total	1874	3071	34076	37147			10623			26524		
"	1875	1810	12745	14555		22592	6955		3668	7600		18924

JOHN SMITH,
Agent.

STATEMENT C.

Statement showing the amount of Capital brought into Canada by Immigrants and Settlers at the Hamilton Immigration Agency for the years ending 1874 and 1875 :—

MONTH ENDING.		1874.	1875.	Increase.	Decrease.
		$ cts.	$ cts.	$ cts.	$ cts.
January	31		6000 00		
February	28		7210 00		
March	31		36097 00		
April	30		29029 00		
May	31		32495 00		
June	30		28955 00		
July	31		29225 00		
August	31		22195 00		
September	30		33000 00		
October	31		36145 00		
November	30		16720 00		
December	31		51478 00		
Total		607314 00	329549 00		277795 00

JOHN SMITH,
Agent.

STATEMENT D.

Statement showing the number of Indigent Immigrants assisted, the number of Meals and Lodgings supplied, and the number of Passes issued by Railways, Stages and Steam Boats at the Hamilton Immigration Agency for the year ending 1875 :—

1875.	Number of Indigent Immigrants.	Number of Passes Issued.	Number of Free Lodgings supplied.	Number of Free Meals supplied.
January	25	17	4	67
February	8	19	4	17
March	96	85	54	395
April	266	160	218	965
May	613	243	165	1037
June	229	156	253	972
July	185	59	44	403
August	43	48	29	93
September	89	58	45	210
October	45	27	44	159
November	41	41	59	190
December	46	42	38	207
Total	1686	955	957	4715

JOHN SMITH,
Agent.

STATEMENT E.

Statement showing the Destination and the Location of Immigrants at the Hamilton Immigration Agency for the year ending 1875 :—

COUNTY.	No. of Immigrants.	COUNTY.	No. of Immigrants.
Brant	103	Norfolk	59
Bruce	204	Northumberland	7
Carleton	7	Oxford	319
Durham	27	Ontario	26
Elgin	82	Perth	88
Essex	68	Peel	24
Grey	29	Simcoe	60
Hastings	10	Waterloo	247
Halton	59	Wellington	294
Haldimand	69	Welland	356
Huron	62	Wentworth	2733
Kent	104	York	844
Lambton	53	Montreal	8
Lincoln	660	Quebec	4
Middlesex	337		5069
Muskoka	12		1886
	1886	Total	6955

JOHN SMITH,
Agent.

STATEMENT F.

Statement showing the Expenditure at the Hamilton Immigration Agency during the year ending 1875 :—

Expenditure.	Amount.	
Rent	— —	
Interest on buildings	— —	
Agent's salary	$1,000 00	
Interpreter's salary	500 00	
Fuel	18 50	
Light	7 20	
Stationery and printing	143 85	
Stoves and office furniture	49 30	
Postage and telegrams	66 45	
Cleaning office and sheds	15 75	
Travelling expenses	80 54	
Incidental charges	10 02	
		$1,721 59
Provisions and lodgings	$1,145 20	
Railway fares for indigent immigrants	700 05	
Moving baggage and immigrants	23 00	
Medical attendance and medicines	115 50	
		$1,983 75
		$3,705 34

John Smith,
Agent.

HAMILTON AGENCY.

Statement showing the Number of Immigrants arrived at the Hamilton Agency, for the year ending December 31st, 1875, and their Nationality, the number assisted with Provisions and with Free Passes by Railways, or other conveyances, from this Agency to their respective places of destination :—

COUNTRY FROM.	Arrivals via the St. Lawrence.	Arrivals via the United States.	Total.	Arrivals in the Province of Ontario.	Went on to the United States.	Number assisted with Provisions.	Number assisted with Free Passes.
England	1373	2800	4173	3268	905		
Ireland	139	106	245	245			
Scotland	193	96	289	289			
Germany	85	7044	7129	673	6456		
Norway							
Other Countries	20	546	566	327	239		
U. S. Citizens		2153	2153	2153			
Total	1810	12745	14555	6955	7600	1686	955

Included in this Statement are 611 Immigrants and Settlers arriving at the ports of Clifton and Fort Erie during the year 1875, and which were not included in the monthly returns, which, added to the returns already sent to your Department, will make the total number of Immigrants settled in the district of the Hamilton Agency for the year 6,955.

John Smith,
Agent.

REPORT OF A. G. SMYTH.

GOVERNMENT IMMIGRATION AGENCY,
London, Ont., 13th January, 1876.

SIR,—I have the honour to enclose complete returns of the work of this Agency for the year 1875, on Schedules A, B, and C. The first two give full particulars of arrivals *via* the St. Lawrence and the United States, their destination, number fed, and the number distributed by free passes.

Although the number of arrivals has been less than that of the previous year, the class forwarded to this Agency compares most favourably with that of other years. Our agents in Europe cannot be too careful in their selections as to the calling of those offering to emigrate. We can easily absorb a very large number of agricultural labourers, domestic servants, and young men accustomed to ordinary labour. At no time during the last season was I able to supply all the farmers in this locality who had entered their names in the labour book, either for agricultural labourers or female servants; consequently all of those classes got immediate employment. It was a little more difficult to settle married men with large families, in consequence of our farmers not having houses erected to accommodate them; but the general feeling was to provide at an early day such accommodation, as the married men who settled here were generally less likely to move from place to place, and gave great satisfaction to those who employed them.

The health of those arriving at this Agency has been very good, both among the adults and children, and I was able to find employment for all within a reasonable time after their arrival, and none, who came to this Agency during this season, are at present out of employment.

I have no doubt we can during the coming season settle comfortably a large number, more particularly if they come out early in the summer. Many have expressed themselves as highly pleased that they came out, and no inducement could make them return to Britain. I have received many letters stating above facts, and a great many have called at the office, who show a great improvement since their arrival, and some have laid up a little money in the bank, and seem happy and contented. I find the longer they are in Canada the more satisfied they are with their change of country.

A very large number came from the United States, on our Western frontier, for the purpose of permanently settling in Canada, comprised mostly of Canadians, English, Irish and Scotch, with a few Germans and Americans, who brought over a very considerable amount of personal effects.

I have the honour to be, Sir,
Your most obedient servant,
A. G. SMYTH,
Govt. Immigration Agent.

David Spence, Esq.,
Secretary Department of Immigration,
Toronto, Ont.

SCHEDULE A.

STATEMENT showing the number of Immigrants arrived at the London Agency for the twelve months ending 31st December, 1875, and their Nationality; the number assisted with Provisions and with Free Passes by Railways or other conveyances, from this Agency to their respective places of destination.

COUNTRY FROM.	Arrivals via the St Lawrence.	Arrivals via the United States.	Total.	Remained in the Province of Ontario.	Went to the United States	Number assisted with Provisions.	Number assisted with Free Passes.
England			1288				
Ireland			304				
Scotland			252				
Germany				Manitoba.	69		
Norway				Brit. Colum.	11		
Other Countries			3488		3353		
	978	4364	5342		3433	565	241

A. G. SMYTH,
Govt. Immigration Agent.

SCHEDULE B.

STATEMENT showing the total number of Immigrants arrived, and remained to be dealt with at the London Agency, for the twelve months ending December 31st, 1875.

MONTHS.	Via St. Lawrence.	Via the United States.	Total.	Number Fed.	No. distributed by Free Passes.
January	33	47	80	4	1
February	39	50	89	9	4
March	68	107	175	64	21½
April	100	387	487	80	26⅔
May	220	970	1190	188	53⅓
June	146	1094	1240	96	82½
July	161	432	593	56	30
August	44	397	441	9	4
September	31	273	304	12	1
October	66	373	439	22	4
November	43	187	230	18	7
December	27	47	74	7	6½
	978	4364	5342	565	241½

A. G. SMYTH,
Govt. Immigration Agent.

SCHEDULE C.

STATEMENT showing the numbers and destination of Immigrants forwarded from this Agency for 1875.

Stations.	Passes.	Stations.	Passes.
Woodstock	1	Quebec	1
Strathroy	10½	Galt to Toronto	2
Ingersoll to Toronto	3	Wilton	5
St. Thomas	19	Kingsville	3½
Harrisburg	2	Whites	6
Komoka	14½	St. Catharines	1
Aylmer	6	Toronto	23½
Chatham	16	Windsor	11
Eastwood	5	Clinton	38
Brampton	2	Goderich	9½
Westminster	1	Mitchell	2
Oshawa	2½	Stratford	7
St. Mary's	9	Dorchester	2
Thamesville	½	Port Stanley	2
Watford		Wingham	2
Guelph	6	Amherstburg	2
Bismarck	3	Park Hill	1
Glencoe	10	Ingersoll	1
Bothwell	3½	Clifford	1
Thorndale	2½	Hamilton	1
Sarnia	1		
Newcastle	4		241

A. G. SMYTH,
Govt. Immigration Agent.

SUMMARY OF ARRIVALS.

OTTAWA, KINGSTON, TORONTO, HAMILTON AND LONDON AGENCIES.

STATEMENT showing the number of Immigrants arrived at the above Agencies, for the twelve months ending 31st December, 1875.

AGENCY.	Arrivals via the St. Lawrence.	Arrivals via the United States.	Total.	Remained in the Province of Ontario.	Went to the United States.
Ottawa	830	552	1382	1377	5
Kingston	1011	506	1517	1485	32
Toronto	8798	1840	10638	6538	1100
Hamilton	1810	12134	13944	6344	7600
London	980	4364	5344	1911	3433
Total	13429	17396	32825	17655	15170

The Nationalities of the Immigrants settled in Ontario are as follows :—

English.	Scotch.	Irish.	German.	Other Countries.	TOTAL.
10533	1724	1621	771	3006	17655

APPENDIX C.

REPORT OF THE OTTAWA VALLEY IMMIGRATION SOCIETY.

OFFICE, OTTAWA, 10th November, 1875.

GENTLEMEN,—The President and Managing Committee of the Ottawa Valley Immigration Society, in submitting this the Fourth Annual Report of the Society's operations, beg leave to remark :

1st. That owing to the general stagnation and depression which has for the past two years prevailed in all departments of business throughout this Continent, the demand for imported labour no longer exists.

2nd. That this condition of things applies with special force to the Ottawa Valley, in consequence of the exceptional depression under which that branch of commerce which so largely engages the energies of its people, has been labouring for a long time.

3rd. That under these circumstances, and in view of the large influx of artisans and labourers from the United States, your Committee have not thought it would either be fair to the immigrant or advantageous to the country to invite immigration, as the failures to make suitable provision for them would be detrimental to the cause generally.

4th. That in view of the above facts, a portion of the $1,824 62 remitted to the Agents in the United Kindom for prepayment of ocean fares has been recalled.

5th. That the few immigrants who have arrived during the season have been satisfactorily provided for, and thus far no complaints have been made.

6th. That on reference to the accounts it will be seen that the Society has cash on hand, in bank $1,663 82, and there are outstanding accounts due it $373 15, in all $2,036 97. The claims against the Society will not probably exceed $300.

7th. It will be for the members to determine as to whether the organization shall continue or be wound up, and should the latter course be adopted, what disposition to make of its funds.

All of which is respectfully submitted.

J. M. CURRIER,
President.

BINDING SECT. AUG 2 3 1967